



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

खण्ड: 54	शिमला, शनिवार, 29 जुलाई, 2006/7 श्रावण, 1928	संख्या : 18
विषय सूची		
भाग-1	वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	716 -740 तथा 763
भाग-2	वैधानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	740 — 741
भाग-3	परधिनियम, विधेयक और विधेयकों पर प्रवर सभित के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, कार्टेनैजिना कमिशनर तथा कमिशनर-ग्राम-इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि	742
भाग-4	स्थानीय स्वशासन शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाऊन एरिया तथा पंचायती राज विभाग	—
भाग-5	वैधानिक अधिसूचनाएं और विज्ञापन	743—761
भाग-6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	761—763
भाग-7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनपूरक	—

29 जुलाई, 2006/7 श्रावण, 1928 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'प्रसाधारण राजपत्र हिमाचल प्रदेश' में प्रकाशित हुईं :—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या आर० सी० डी०-11-बी० (9)-2/2004, दिनांक 21 जून, 2006.	ग्रामीण विकास विभाग	हिमाचल प्रदेश ग्रामीण विकास विभाग, कनिष्ठ वेतनमान आगुलिपि, वर्ग-III (अराजकवित) भर्ती एवं प्रोन्नति नियम, 2006 इसके प्राधिकृत संशेजी पाठ महित ।
संख्या एल० एन० आर०-ई (9)-4/2005-लेज, दिनांक 14 जुलाई, 2006.	विधि विभाग	श्री राजीव रतन, अधिवक्ता को सलूणी तहसील जिला चम्बा की सोमाओ के भीतर पब्लिक नोटरी नियुक्त करने वाले इसके प्राधिकृत संशेजी पाठ महित ।

भाग-1—बैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

BOARD OF DEPARTMENTAL EXAMINATION, FAIRLAWN, SHIMLA-171012
NOTIFICATION

Fairlawn, Shimla-171012, the 15th May, 2006

No. HIPA (Exam.) 5/74-XXV.—The result of the Departmental Examination of the Officers belonging to H. P. Administrative Service, H. P. held in February, 2006 after re-evaluation is hereby notified as follows:—

NOMENCLATURE OF PAPERS

Paper-1—Criminal Law & Procedure

Paper-2—Criminal Case

Paper-3—Revenue Law & Procedure

Paper-4—Hindi

Paper-5—Revenue Case

Paper-6—General Administration

Paper-7—Planning & Development

Paper-8—Constitution & Civil Law

Paper-9—Civil Service Treasury & Financial Rules

Paper-10—Special Acts (Criminal) Manuals & Rules

Paper-11—Minor (Revenue) Acts and Manuals

Paper-12—Motor Mechanism and Driving

Paper-13—Target Shooting (Rifle-Revolver)

Paper-14—Computer

Abbreviations used: ABS—Absent, EXM—Exempted, DEB—Debarred from Departmental Exam.

Name	Roll No.	Paper 1	Paper 2	Paper 3	Paper 4	Paper 5	Paper 6	Paper 7	Paper 8	Paper 9	Paper 10	Paper 11	Paper 12	Paper 13	Paper 14
													(W) (P)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
DEPARTMENT H.A.S. :															
S/Shri :															
Rakesh Verma	5501	—	42 Fail	—	—	—	—	—	45 Fail	—	—	—	—	—	—
Jagdish Chand Patial	5506	—	—	—	—	—	—	—	—	—	46 Fail	—	—	—	—
Gian Chand Negi	5507	—	—	—	—	—	53 Pass	—	—	—	43 Fail	—	—	—	—
Dalip Negi	5508	—	—	—	—	—	—	—	44 Fail	—	—	—	—	—	48 Fail
Raman Kumar Sharma	5509	—	45 Fail	—	—	48 Fail	53 Pass	—	—	—	—	—	—	—	—
Layak Ram Negi	5510	—	—	—	—	—	—	—	41 Fail	—	—	—	—	—	—
Prabha Rajeev	5511	—	—	—	—	—	—	—	—	47 Fail	50 Pass	—	—	—	—
Sukh Dev Singh	5515	—	—	—	—	—	—	37 Fail	—	—	—	44 Fail	—	—	48 Fail
Parbhat Singh Sharma	5516	50 Pass	—	—	—	—	—	—	41 Fail	—	44 Fail	—	—	—	—

Sd/-
Secretary.

मिचार्ड एवं जल स्वास्थ्य विभाग

अधिसूचनाएं

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः * हेतु भूमि ली जानी अत्यावश्यक अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि नीचे विवरणी में वर्णित भूमि उपर्युक्त* प्रयोजन के लिए अपेक्षित है।

2 यह घोषणा भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों की सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, शाहनहर परियोजना, फतेहपुर को उक्त भूमि के अर्जन करने के आदेश देने का एतद्वारा निदेश दिया जाता है।

3. इसके अतिरिक्त उक्त अधिनियम की धारा 17 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल यह निदेश देते हैं कि अत्यावश्यक मामला होने के कारण भू-अर्जन समाहर्ता, शाहनहर परियोजना, फतेहपुर उक्त अधिनियम की धारा 9 की उप-धारा (1) के अधीन सूचना के प्रकाशन से 15 दिन की अवधि समाप्त होने पर पचाट देने से पूर्व भूमि का कब्जा ले सकता है।

4. भूमि का रेखांक, भू-अर्जन समाहर्ता, शाहनहर परियोजना फतेहपुर के कार्यालय में निरीक्षण किया जा सकता है।

*गांव बेली जट्टा, तहसील फतेहपुर, जिला कांगड़ा में शाहनहर परियोजना बायां किनारा के निर्माण हेतु।

संख्या मिचार्ड 11-1/2006-कांगड़ा

शिमला-2, 26 जून, 2006

जिला : कांगड़ा		विस्तृत विवरणी		तहसील : फतेहपुर	
गांव	खसरा नं०	क्षेत्र (हेक्टेयरों में)			
1	2	3			
बेली जट्टा	193/1	0	04	00	
	212/1	0	04	76	
	213/3/2	0	00	16	
	234/2/1	0	02	08	
	254/2/1	0	02	52	
	255/2/1	0	00	32	
	256/2/1	0	00	24	
	259/2/1	0	00	80	
	261/2	0	01	84	
	268/2/1	0	00	32	
	279/2	0	01	04	
	279/4	0	00	66	
	282/1	0	00	60	
	283/1	0	00	40	
	283/3	0	00	26	
	284/2	0	01	56	
	333/1	0	05	76	
	335/1	0	10	72	
	336/1/1	0	02	40	
	337/1	0	00	12	
	482/1/1	0	00	92	
	487/1	0	00	60	
	487/1/1	0	01	80	
	496/1	0	00	18	
	497/2	0	00	15	
	498/2	0	03	36	
	505/1	0	00	05	
	506/1	0	00	04	
	509/1	0	00	15	
	510/2	0	02	56	
	520/2	0	02	32	

1	2	3
	533/2	0 02 40
	545/1	0 00 23
	534/2	0 00 36
	535/2	0 02 80
	542/1	0 00 08
	543/1	0 01 59
	544/1	0 00 34
	548/2	0 03 72
	549/1	0 02 64
	550/1	0 00 18
	657/1	0 03 26
	662/1	0 00 84
	663/1	0 00 20
	664/1	0 00 60
	667/1	0 01 50
	667/2	0 00 62
	668/1	0 00 20
	669	0 00 51
	675/1	0 00 50
	675/2	0 01 47
	691/2	0 01 41
	698/2	0 00 24
	699/2	0 00 56
	700/2	0 01 24
किता ..	55	0 80 18

*गांव बेली जट्टा, तहसील फतेहपुर, जिला कांगड़ा में शाहनहर परियोजना बायां किनारा के निर्माण हेतु।

संख्या सिचार्ड 11-22/2006-कांगड़ा

शिमला-2, 26 जून, 2006

बेली जट्टा	184/2	0 00 45
	186	0 01 71
	187/2	0 02 60
	187/1/2	0 00 94
	187/2/2	0 00 54
	187/2/3	0 00 08
	188/1	0 00 48
	190/1	0 00 12
	191/1	0 00 32
	192/2	0 01 68
	193/1	0 00 76
	193/2	0 01 96
	194/2	0 02 78
	195/2	0 03 42
	196/2	0 01 64
	206/2	0 03 40
	207/2	0 01 20
	210/2	0 03 28
	213/2	0 00 48
	217/1	0 00 60
	238/1	0 01 20
	239/2	0 05 81
	240/2	0 08 84
	240/1/1	0 00 02
	243/1	0 00 02
	244/1	0 00 42
	245/1	0 00 66
	246/2	0 01 13
	247/2	0 01 54
	248/2	0 01 89
	269/1	0 00 05
	345/2	0 10 37
	346/2	0 01 59
किता ..	33	0 61 98

*गांव बेला लुधियाइचा, तहसील कतेहपुर, जिला कांगडा में शाहनहर परियोजना बायां किनारा के निर्माण हेतु।

संख्या सिचाई 11-4/2006-कांगडा

शिमला-2, 5 जुलाई, 2006

1	2	3
बेला लुधियाइचा	1/2	0 00 24
	2/2	0 03 00
	13/2	0 00 72
	14/2	0 02 48
	41/1	0 00 14
	42/2	0 00 64
	43/2	0 01 84
	49/2	0 00 72
	51/2	0 08 08
	73/1	0 00 68
	75/2	0 00 88
	76/2	0 00 68
	77/2	0 02 92
	947/2/1	0 01 32
	960/2/1	0 01 20
	961/2/2	0 03 60
	966/2/2	0 05 76
	968/2/2	0 02 04
	969/2	0 02 72
	970/2/2	0 00 52
	983/3/2	0 02 80
किता	21	0 42 98

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन के लिए नामतः* हेतु भूमि ली जानी घोषित है। अतएव एतद्वारा यह घोषित किया जाता है कि नोबे बिबरणी में वर्णित भूमि उपर्युक्त *प्रयोजन के लिए घोषित है।

2 भूमि धर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों की सूचना के लिए घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता भू-धर्जन, हिमाचल प्रदेश, लोक निर्माण विभाग, कांगडा को उक्त भूमि के धर्जन के लिए आदेश देने का एतद्वारा निर्देश दिया जाता है।

3 भूमि का रेखांक, समाहर्ता भू-धर्जन, हिमाचल प्रदेश लोक निर्माण विभाग, कांगडा के कार्यालय में निरीक्षण किया जा सकता है।

*गांव कुडसा, तहसील इन्दौरा, जिला कांगडा में नलरूप न० 10 के निर्माण हेतु।

संख्या सिचाई 11-110/2005-कांगडा

शिमला-2, 5 जुलाई, 2006

जिला : कांगडा	विस्तृत बिबरणी	तहसील : इन्दौरा
गांव	खसरा न०	क्षेत्र (हैक्टेयरों में)
1	2	3
कुडसा	231/1	0 02 20
*गांव कुडसा, तहसील इन्दौरा, जिला कांगडा में नलरूप न० 10 के निर्माण हेतु।		
संख्या सिचाई 11-148/2005-कांगडा		
	शिमला-2, 5 जुलाई, 2006	
कुडसा	942	0 03 25

*गांव कुडसा, तहसील इन्दौरा, जिला कांगडा में नलरूप न० 24 के निर्माण हेतु।

संख्या सिचाई 11-149/2005-कांगडा

शिमला-2, 5 जुलाई, 2006

1	2	3
कुडसा	335	0 03 78

शिमला-2, 26 जून, 2006

संख्या सिचाई 11-54/2006-ऊना—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव जटपुर, तहसील ऊना, जिला ऊना में सैपटिक टैंक जोन-ए के निर्माण हेतु भूमि धर्जित करनी घोषित है। अतएव एतद्वारा यह घोषित किया जाता है कि उक्त परिसेज में जैसा कि निम्न बिबरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का धर्जन घोषित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं या हो सकते हैं, की जानकारी के लिए भूमि धर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. उपरोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और व्यक्तियों को इसको की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा घोषित प्रथवा अन्तर्गत सभी अन्य कार्यों को करने के लिए महर्ष प्राधिकार देते हैं।

4. कोई भी हितवद्ध व्यक्ति, जिस उक्त परिसेज में कथित भूमि के धर्जन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-धर्जन समाहर्ता, कांगडा, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है।

जिला : ऊना	खसरा न०	तहसील : ऊना	क्षेत्र (वर्ग मीटरों में)
जटपुर	2808	1310	25
	2809	24	00
	2810	133	50
किता	3	1467	75

विस्तृत बिबरणी

आदेश द्वारा

हस्ताक्षरित/-
प्रधान सचिव।

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 31st August, 2005

No. Shram (A) 7-1/2005.—In exercise of the powers vested in him under section 17 (1) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is pleased to order the publication of awards announced by the Presiding Officer, Labour Court, Dharamshala/ Shimla of the following cases in the H. P. Rajpatra :—

Sl. No. & Case No.	Title of the case
6. Ref. 12/2004 RBT. 347/04	Daginder Singh Vs. XEN. I&PH Division Sundernagar, Mandi (H. P.) & Others.

- | | | |
|-----|-------------------------------|---|
| 7. | Ref. 2/2004
RBT No. 337/04 | Madan Lal Vs. XEN, IPH
Division Sundernagar, Mandi
and Others. |
| 8. | Ref. 9/2004
RBT. 344/04 | Parshotam Ram Vs. XEN, IPH
Division Sundernagar, Mandi,
H. P. & Others. |
| 9. | Ref. 3/2004
RBT. 388/04 | Tok Singh Vs. XEN, IPH
Division Sundernagar, Mandi
and Others. |
| 10. | Ref. 10/2004
RBT. 345/04 | Tara Chand Vs. XEN, IPH
Division Sundernagar, Mandi
and Others. |
| 11. | Ref. 13/2004
RBT. 348/2004 | Narpal Ram Vs. XEN, IPH
Division Sundernagar, Mandi
and Others. |

By order,

Sd/-
Secretary.

Before Shri Goerge, Presiding Judge, Labour Court,
cum Industrial Tribunal, Dharamshala, Camp at
Mandi (H. P.)

Reference No. 12/2004 (RBT No. 347/2004)

Date of presentation : 3-1-2004

Date of award : 21-7-2005

Shri Daginder Singh son of Shri Mahan Singh, r/o
Village Bharad, P. O. Tharal, Tehsil Thunag, District
Mandi (H. P.) .. Petitioner.

Versus

1. Executive Engineer, I&PH Div. Sundernagar,
Mandi, (H. P.).

2. Assistant Engineer, I&PH Sub Div. Thunag,
Div. Sundernagar.

3. State of H. P. through its Secretary IPH, Shimla
(H. P.) .. Respondents.

"Reference under section 10 of the Industrial Disputes
Act, 1947".

For petitioner : Shri K. S. Guleria, Adv.

For the respondent : Shri Rakesh Rana, AE/AR.

The following reference has been received by this
Court from the appropriate Government for adjudi-
cation :

"Whether the termination of services of Shri
Daginder Singh, son of Shri Madan Singh,
daily wages Beldar by the Executive Engineer,
IPH Div. Sundernagar, District Mandi
(H. P.) w. e. f. 16-11-2000 without complying
the provisions of the Industrial Disputes Act,
1947, is proper and justified? If not, what
relief of service benefits and amount of
compensation the above aggrieved workman
is entitled to?"

2. The petitioner filed statement of claim. Brief facts
of the claim of the petitioner is that he was engaged as
daily wages worker by the respondent No. 1 on muster
roll basis from 5-5-1999 and he worked as such till
16-11-2000 with some artificial breaks. The petitioner
further alleged that his services were terminated by the
respondents in an illegal and arbitrary manner without
giving any notice. The respondents have engaged
many junior persons to the petitioner by giving con-

tract to the contractors with a view to defeat the right
of the petitioner. The petitioner approached the res-
pondents to re-engage him but to no avail. However,
the respondents orally assured to re-engage him. The
service of the petitioner were terminated despite the fact
that the work and funds were available with the res-
pondents. The petitioner alleged that action of the res-
pondents is unconstitutional, malafide, discriminatory, un-
justified and against the mandatory provisions of In-
dustrial Disputes Act, 1947, (hereinafter referred in-
short as the Act). The petitioner has prayed for his
reinstatement with continuity of service by adding the
period artificial breaks including all consequential
benefits.

3. The claim of the petitioner is resisted and con-
tested by the respondents. The respondents filed joint
reply, wherein they raised preliminary objections in
nut shell: qua maintainability and the petition is barred
by limitation. On merits, the respondents alleged
that the petitioner had worked intermittently as and
when circumstances were convenient to him and he
was not a continuous worker, therefore, the provisions
of Industrial Disputes Act, 1947 are not applicable.
However, the petitioner has been dis-engaged on the
principle of first come, last go. The respondents never
interrupted the service of the petitioner but the peti-
tioner, himself worked intermittently at his own sweet
will as and when circumstances convenient to him. The
petitioner engaged as a casual worker against various
construction schemes, depending upon availability of
work and funds. The petitioner was not in continuous
service, hence no notice under section 25-F was
required to be issued to the petitioner. As regard
awarding of the work to the contractors is concerned,
it is submitted that the respondents can carry out the
work through contract under the law. The respondents
denied that the respondents have violated the principle
of the last come, first go. The respondents submitted
that the petitioner has not completed 240 continuous
working days in preceding 12 months, hence the petitioner
is not entitled for any seniority. The respondents have
prayed for dismissal of the petition with costs.

4. The petitioner filed rejoinder, wherein the peti-
tioner re-affirmed and reiterated the averments made
in the petition and denied the assertions of the
respondents made in the reply.

5. On the respective assertions of the parties, the
following issues were framed on 24-11-2004 :-

1. Whether the termination of the service of the
petitioner is in violation of the mandatory
provisions of Industrial Disputes Act, 1947?
Is so its effect? OPP.

2. If issue No. 1 is proved in affirmative, to what
relief benefits alongwith amount of compensa-
tion the petitioner is entitled to? OPP.

3. Whether the petition is barred by limitation
OPR.

4. Relief.

6. For the reasons to be recorded hereinafter my
issue-wise findings are as under :-

Issue No. 1 : yes

Issue No. 2 : As per operative part of Award

Issue No. 3 : No

Issue No. 4 (Relief) : The petition is allowed
as per operative part
of the Award.

REASONS FOR FINDINGS

ISSUE NO. 1 AND 2:

7. Both the issues are inter-connected and hence
taken together for discussions and findings.

8. The petitioner Daginder tendered in evidence his affidavit Ex. PW1/A as PW1 wherein he has stated that he was engaged as daily wage beldar by the respondents *w. e. f.* 5-5-1999 and his services were terminated with an illegal manner *w. e. f.* 16-11-2000. He was always to work with the respondents, but the respondents used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of a permanent workman, and despite the fact that the respondents had sufficient work, the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workman every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and against by way of victimisation not in a good faith but in colourable exercise of employer's right for patently false reasons of untrue and trumped up allegations of absence from duty.

9. The respondents while cross-examining the petitioner Daginder has not contradicted the material facts the petitioner has deposed in his Affidavit Ex. PW1/A in affirmative. The petitioner was put to the suggestion that he has not completed 240 days. The petitioner admitted this fact, but he explained that the department has given him breaks despite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retained in service by the respondents. He stated that one Shri Tak Singh s/o Shri Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examined one Shri Rakesh Rana, Assistant Engineer, IPH Sub-Division, Thunag, District Mandi as RW1, who has stated that the petitioner was engaged as a daily wage beldar *w. e. f.* 5-5-1999 and he worked upto 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till dated (*i. e.* 26-4-2005) for his dis-engagement *w. e. f.* 16-11-2000. He has brought on the record the mandays chart Ex. RW1 showing the working days of the petitioner as daily wage.

11. Shri Rakesh Rana, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are disengaged. The petitioner worked at different schemes and lastly he was working at Khildhar P W S S. In the month of November due to snow fall the work was closed down and the petitioner was disengaged and lateron this work was allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondent department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of Section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for those schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the dis-engagement of the petitioner *w. e. f.* 16-11-2000 the department had not issued any muster roll and for this reason the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged *w. e. f.* 16-11-2000 and the petitioner made request and showed his willingness for his re-engagement. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so

that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged *w. e. f.* 5-5-1999 and he continued to work with the respondents as daily wager till 16-11-2000 when he was disengaged in an illegal manner. The respondents by giving illegal breaks did not allow the petitioner to complete 240 working days with a mala fide intention and juniors of the petitioner were engaged, whereas the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory pleas. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work according to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondent is that the petitioner was working at a scheme known as Khildhar P W S S and the work of this scheme had to be close done due to snow fall *w. e. f.* 16-11-2000.

14. Shri Rakesh Rana, RW1, has taken the first stand in his examination in chief and has taken all together different the second stand in his cross-examination. It appears that the respondents are not actually aware, as to whether the services of the petitioner were disengaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, RW1, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW1, however, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete his 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 311½ days. The respondents with an intention not to allow the petitioner to complete his 240 working days used to issue the muster roll for shorter periods instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW1 *i. e.* December, 1999 till November 15, 2000, the respondents gave the petitioner illegal breaks for a period of 92 days. The mandays chart Ex. RW1 reveals that the muster roll was issued for the month of December, 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 21 days, whereas the muster roll was not issued for the remaining 10 days. Similarly, in January, 2000 muster roll was not issued and therefore, the petitioner was deprived of 31 working days. In June, 2000 the muster roll was issued for the period 5-6-2000 to 25-6-2000 and the petitioner worked for 21 days and for remaining 9 days no muster roll was issued and the petitioner was deprived from continuing the work for the remaining period of 9 days in June, 2000. Similarly, the muster roll was issued for the month of July, 2000 *w. e. f.* 5-7-2000 to 25-7-2000. The petitioner worked for the entire period of 21 days and he was deprived of working of remaining 10 days. In the month of August 2000 the muster roll was issued *w. e. f.* 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September, 2000. In September, 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, petitioner was deprived of working for 10 days. Similarly, in October, 2000 the petitioner was deprived of working for 11 days for non-issuance of muster roll and in November, 2000 the muster roll was issued only for the

period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were disengaged w. e. f. 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to the snow fall, as has been admitted by Shri Rakesh Rana, RWI, in his cross-examination.

18. Taking into consideration the position as has been referred to herein above, the petitioner as per the calculations of the respondents in the last 12 preceding months i. e. December, 1999 to November, 2000 has worked for 219½ days and if the period for which the petitioner was not allowed to work not on account his fault, but on account of the unfair labour practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 30 days or so or for not issuing the muster rolls in the month of January, 2000 due to snow fall etc. for no fault of the petitioner, the total number of days which comes to 92 has to be accounted towards the continuous service of the petitioner as per sub-section (1) of section 25-B of the Act, continuous service means:—

“25-B. Definition of continuous service for the purpose of this chapter :—

- (1) a workman shall be said to be in continuous service for period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman.”

19. The words “Cessation of work which is not due to any fault on the part of the workman” used in sub-section (1) of section 25-B of the Act, has the clear meaning that the period of cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon’ble Bombay High Court in case titled “Kukadi Irrigation Project v. Waman, 1994 LLR 381 (Bom)” that :—

“That the period of cessation of work not due to any fault on the part of the employee, always gets calculated as a period of continuous service.”

20. The petitioner has thus completed 311-1/2 working days during the last 12 preceding months i.e. from December, 1999 to November, 2000 (i. e. 219-1/2 working days and 92 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact completed 240 days in the preceding 12 months period which in the present case has been established beyond any reasonable doubt. Once it is proved that the petitioner being a workman has completed 240 working days during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under :—

“25-F. Conditions precedent to retrenchment of workman :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for

retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;

- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or part thereof in excess of six months; and

- (c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the official gazette) ”.

22. The conditions enumerated in section 25-F (a), (b) and (c) of the Act are precedent. The provisions of Section 25-F are couched in mandatory form and non-compliance therewith as a result of rendering the order of retrenchment void, *ab-initio* or *non est* (State of Rajasthan vs. Miss Usha Lokwanit, 1994 LLR 369 (Rajasthan).

23. The Hon’ble Supreme Court in case titled “Auto Engg. Pvt. Ltd. v. R. A. Gadekar,” 1992 (1) LLJ 693, Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of section 25-F of the Act as under :—

“It is settled law that section 25-F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source of livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of Section 25-F, viz. payment of one month's wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F, the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void *ab-initio*.”

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, PW1, in his cross-examination and the facts as are emerging from the man-days chart Ex. RW1 brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagement of the petitioner is not only unfair, unjustified, but also illegal. It has been held by the Hon’ble Supreme Court in case titled “Deep Chandra Vs. State of Uttar Pradesh and Another”, 2001 LLR 312, that in case a workman is disengaged in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis-engagement and consequently, the petitioner is entitled for all consequential service benefits including back wages. The Hon’ble Supreme Court has made the following observations in para 2 of the judgment that :—

“The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the casual worker's services can be put to an end to but if the award made by the Labour Court would make him permanent employee, so on and so forth. The High Court

lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year for several years whether his services can be put to an end to without following the procedure prescribed under Section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the High Court and restore the award made by the Labour Court. The appeal is allowed accordingly."

25. The petitioner had claimed all service consequential benefits including back wages for his illegal termination in violation of the mandatory provisions of section 25-F (a), (b) and (c) of the Act, by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. rather the contradictory stand has been taken by the respondents i.e. first, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the area w. e. f. 16-11-2000 and therefore, the petitioner was dis-engaged from 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work scheme within the sub-division or the division of the respondents during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, both the issues are decided in favour of the petitioner and against the respondents.

ISSUE NO. 3.

28. The respondents have led no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an industrial dispute. However, in the peculiar facts and circumstances of the case, the court should look into the other aspects of the case i. e. laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were dis-engaged w. e. f. 16-11-2000 and he raised the industrial dispute with the Labour Department. The Labour department made efforts for conciliation, but when the conciliation failed, the Labour Officer, Mandi, sent the reference with his report to the Labour Commissioner, vide letter dated 17-3-2003. The Labour Commissioner took at least one year to refer the dispute for adjudication to this court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore, the plea taken by the respondents that the petition is barred by limitation is unsustainable. Other wise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity Board", 2001 LLR 900, has held as under:

"Limitation—Principle of Limitation applicable for making reference—service of workman terminated on 17-7-1975 workman challenged his termination—Government made reference on 29-3-1993 under section 2K of the U. P.

Industrial Disputes Act. Section 2. K. is almost in tune with section 10 of the Industrial Disputes Act—Management filed petition—High Court quashed the reference order passed by the Government solely on the such delay, appeal accepted. The High Court should not have quashed the reference. The words "At Any Time" as used in the section are *prima facie* indicator to a period without boundary".

29. In view of the petition of law, which is fully applicable in the facts and circumstances of the present case the stand taken by the respondents with regard to the limitation is unsustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

RULES

30. In view of my findings on above issues, since the services of the petitioner were terminated by the respondents in violation of the mandatory requirements of section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this Award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the record room.

GEORGE,

Presiding Judge,

Announced, Labour Court-cum-Industrial Tribunal,
21-7-2005. Dharamshala (H. P.).

In the Court of Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, Camp at Mandi, Himachal Pradesh

Reference No. .. 2/2004 (RBT No. 337/04

presented on .. 3-1-2004

Decided on .. 21-7-2005

Shri Madan Lal son of Shri Dharam Dass, r/o Village Chet, P. O. Hijiuni, P. O. and Tehsil Thunag, District Mandi, H. P. Applicant-petitioner.

Vs.

1. Executive Engineer, IPH Division, Sundernagar, Mandi, H. P.

2. Assistant Engineer, IPH Sub-Division Thunag, Division Sundernagar, District Mandi, H. P.

3. State of H. P. through its Secretary IPH Shumla, H. P. .. Respondents.

Reference under section 10 of the Industrial Disputes Act, 1947".

For the petitioner .. Shri K. S. Guleria, Adv.
For the respondents .. Shri Ramesh Rana, AP/AR

AWARD

The following reference has been received from the appropriate Government for adjudication:—

"Whether the termination of service of Madan Lal son of Shri Dharam Dass, daily wages Beldar by

the Executive Engineer, IPH Division, Sundernagar, District Mandi, H. P. w. e. f. 16-11-2000 with out complying the provisions of the Industrial Disputes Act, 1947, is proper and justified. If not what relief of service benefits and amount of compensation the petitioner is entitled to ?

2. The petitioner filed statement of claim. Brief facts of the claim of the petitioner are that he was engaged as daily waged worker by the respondent No. 1 on muster roll basis from 1-11-1993 and he worked as such till 16-11-2000 with some artificial breaks. The petitioner further alleged that his services were terminated by the respondents in an illegal and arbitrary manner without giving any notice. The respondents have engaged many junior persons to the petitioner by giving contract to the contractors with a view to defeat the right of the petitioner. The petitioner approached the respondents to re-engage him but to no avail. However, the respondents orally assured to re-engage him. The services of the petitioner were terminated despite the fact that the work and funds were available with the respondents. The petitioner alleged that action of the respondents is unconstitutional, malafide, discriminatory, unjustified and against the mandatory provisions of Industrial Disputes Act, 1947. The petitioner has prayed for his reinstatement with continuity of service by adding the period of artificial breaks given by the respondents, including all consequential benefits.

3. The claim of the petitioner is resisted and contested by the respondents. The respondents filed joint reply, wherein they raised preliminary objections in nat shall; qua maintainability and the petition is barred by limitation. On merits, the respondents alleged that the petitioner had worked intermittently as and when circumstances were convenient to him and he was not a continuous worker, therefore, the provisions of Industrial Disputes Act, 1947 are not applicable. However, the petitioner, has been disengaged on the principle of first come, last go. The respondents never interrupted the services of the petitioner but the petitioner himself worked intermittently at his own sweet will as and when circumstances convenient to him. The petitioner engaged as a casual worker against various construction schemes, depending upon availability of the work and funds. The petitioner was not in continuous service, hence no notice under section 25-F was required to be issued to the petitioner. As regard awarding of the work to the contractors is concerned, it is submitted that the respondents can carry out the work through contract under the law. The respondents denied that the respondents have violated the principles of last come, first go. The respondents submitted that the petitioner has not completed 240 continuous working days in preceding 12 months, hence the petitioner is not entitled for any seniority. The respondents have prayed for dismissal of the petition with costs.

4. The petitioner filed rejoinder wherein the petitioner re-affirmed and reiterated the averments made in the claim petition and denied the assertions of the respondents made in the reply.

5. On the respective assertions of the parties the following issues were framed on 24-11-2004:

1. Whether the termination of the service of the petitioner is in violation of the mandatory provisions of Industrial Disputes Act, 1947 ? If so its effect ? ..OPP.

2. If issue No. 1 is proved in affirmative, to what relief, benefits alongwith amount of compensation the petitioner is entitled to ? ..OPP.

3. Whether the petition is barred by limitation ? ..OPR

4. Relief.

5. For the reasons to be recorded herein after my issuewise findings are as under :

Issue No. 1 ..Yes.

Issue No. 2 ..As per operative part of the Award.

Issue No. 3 ..No.

Relief ..The petition is allowed as per operative part of the Award.

REASONS FOR FINDINGS

ISSUE NO. 1 AND 2:

7. Both the issues are inter-connected and hence taken together for discussions and findings.

8. The petitioner Madan Lal tendered in evidence his Affidavit Ex. PW1/A as PW1 wherein he has stated that he was engaged as daily wages beldar by the respondents w. e. f. 1-11-1993 and his services were terminated with an illegal manner w. e. f. 16-11-2000. He was always ready to work with the respondent, but the respondents used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of a permanent workman, and despite the fact that the respondents had sufficient work, the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workmen every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and again by way of victimisation, not in a good faith but in colourable exercise of employer's right for patently false reasons of un-true and trumped up allegations of absence from duty.

9. The respondents while cross-examining the petitioner Madan Lal ha not contradicted the material facts the petitioner has deposed in his Affidavit Ex. PW1/A in affirmative. The petitioner was put to the suggestion that he had not completed 240 days. The petitioner admitted this fact, but he explained that the department has given him breaks despite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retain in service by the respondents. He stated that one Shri Tek Singh s/o Shri Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examined one Shri Rakesh Rana, Assistant Engineer, IPH Sub-Division, Thunag, District Mandi, as RW1, who has stated that the petitioner was engaged as a daily wages beldar w. e. f. 1-11-1993 and he worked upto 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till date (i. e. 26-4-2005) for his dis-engagement w. e. f. 16-11-2000. He has brought on the record the mandays chart Ex. RW1 showing the working days of the petitioner as daily wages.

11. Shri Rakesh Rana, RW1, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are disengaged. The petitioner worked at different schemes and lastly he

was working at Khildhar P.W.S.S. In the month of November due to snow fall the work was closed down and the petitioner was dis-engaged and later on this work was allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondent department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for these schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the dis-engagement of the petitioner *w.e.f.* 16-11-2000 the department had not issued any muster roll and for this reason the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged *w.e.f.* 16-11-2000 and the petitioner made requests and showed his willingness for his re-engagement. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged *w.e.f.* 1-11-1993 and he continued to work with the respondents as daily wage till 16-11-2000 when he was dis-engaged in an illegal manner. The respondents by giving illegal in an breaks did not allow the petitioner to complete 240 days with a mala fide intention and junior of the petitioner were engaged, whereas the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory pleas. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work according to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondents is that the petitioner was working at a scheme known as Khildhar P. W. S. S. and the work of this scheme had to be close down due to snow fall *w.e.f.* 16-11-2000.

14. Shri Rakesh Rana, RW1, has taken the first stand in his examination in chief and has taken altogether different the second stand in his cross-examination. It appears that the respondents are not actually aware, as to whether the services of the petitioner were dis-engaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, RW1, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW1, however, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete his 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 289 days. The respondents with an intention not to allow the petitioner to complete his 240 working days used to issue the muster roll for shorter periods instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW1 *i.e.* December 1999 till November 15, 2000, the respondents gave the petitioner illegal breaks for a period of 88 days. The mandays chart Ex. RW1 reveals that the muster rolls was issued for a month of the December 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 21 days, whereas the muster roll was not

issued for the remaining 10 days. Similarly, in January, 2000 muster roll was not issued and therefore, the petitioner was deprived of 31 working days. In June, 2000 the muster roll was issued for the period 1-6-2000 to 25-6-2000 and the petitioner for 21 days and for the remaining 5 days no muster roll was issued and the petitioner was deprived from continuing the work for the remaining 5 days in June 2000. Similarly, the muster roll was issued for the month of July, 2000 *w.e.f.* 5-7-2000 to 25-7-2000. The petitioner worked for 10 days and he was deprived of working of remaining 10 days. In the month of August 2000 the muster roll was issued *w.e.f.* 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September, 2000. In September 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, the petitioner was deprived of working for 10 days. Similarly, in October, 2000 the petitioner was deprived of working for 11 days for non-issuance of muster roll and in November, 2000 the muster roll was issued only for the period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were dis-engaged *w.e.f.* 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to the snow fall, as has been admitted by Shri Rakesh Rana, RW1, in his cross-examination.

18. Taking into consideration the position as has been referred to herein above, the petitioner as per the calculations of the respondents in the last 12 preceding months *i.e.* December, 1999 to November 2000 has worked for 201 days and if, the period for which the petitioner was not allowed to work not on account of his fault, but on account of the unfair practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 30 days or so or for not issuing the muster rolls in the month of January, 2000 due to snow fall etc. for no fault of the petitioner, the total number of days which comes to 88 has to be accounted towards the continuous services of the petitioner as per sub-section (1) of section 25-B of the Act, continuous service means:—

“25-B. Definition of continuous service—for the purpose of this chapter:—

(1) a workman shall be said to be in continuous service for a period if he is for that period in un-interrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, if a lock-out or a cessation of work which is not due to any fault on the part of the workman;”.

19. The words “Cessation of work which is not due to any fault on the part of the workman” used in sub-section (1) of section 25-B of the Act has the clear meaning that the period of cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon'ble Bombay High Court in case titled “Kukadi Irrigation Project V. Waman, 1994 L. L. R. 381 (Bom.)” that:—

“That the period of cessation of work not due to any fault on the part of the employee, always gets calculated as period of continuous service”.

20. The petitioner has thus completed 289 working days during the last 12 preceding months *i.e.* from December 1999 to November 2000 (*i.e.* 201 working days and 88 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of 240 working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact completed 240 days in the preceding 12 months period which in the

present case has been established beyond any reasonable doubt. Once it is proved that the petitioner being a workman has completed 240 working days during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under:—

“25-F : Conditions precedent to retrenchment of workman:—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until:—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or part thereof in excess of six month; and
- (c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the official gazette)."

22. The conditions enumerated in Section 25-F (a) (b) and (C) of the Act are precedent. The provisions of Section 25-F are couched in mandatory form and non-compliance there with has a result of rendering the order of retrenchment void, *ab initio* or nonest (State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR 369 (Raj)).

23. The Hon'ble Supreme Court in case titled "Auro Engg. Pvt. Ltd. V. R. A. Gadekar", 1992 (1) L. L. J. 693, Mr. Justice B. N. Srikrishana, has explained the consequences of non-compliance of section 25-F of the Act as under:—

"It is settled law that section 25-F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining and the economy of the country as a whole and that the industrial units Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25-F, viz. payment of one month wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F, the section imposes a mandatory duty on the employer, which is a condition precedent to retrenchment of workman. Consequently, contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void, *ab initio*.

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, RW1, in his cross-examination and the facts as are emerging from the mandays chart Ex RW1 brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagemet of the petitioner

is not only unfair, unjustified, but also illegal. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 LLR 312, that in case a workman is dis-engaged in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis-engagement and consequently, the petitioner is entitled for all consequential service benefits including back wages. The Hon'ble Supreme Court has made the following observations in para 2 of the judgment that :—

"The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the causal worker's services can be put to an end to but if the award made by the Labour Court would make him permanent employee, so on and so forth. The High Court lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the High Court and restore the award made by the Labour Court. The appeal is allowed accordingly".

25. The petitioner had claimed all service consequential benefits including back wages for his illegal termination in violation of the mandatory provisions of section 25-F (a), (b) and (c) of the Act, by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. Rather the contradictory stand has been taken by the respondents i.e. first, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the areas w.e.f. 16-11-2000 and therefore, the petitioner was dis-engaged w.e.f. 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work/scheme within the sub-division or the division of the respondents during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, both the issues are decided in favour of the petitioner and against the respondents.

Issue No. 3 :

28. The respondents have led no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an industrial dispute. However, in the peculiar facts and circumstances of the case, the court should look into the other aspects of the case i.e. laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were dis-engaged w.e.f. 16-11-2000 and he raised the industrial dispute with the Labour Department. The Labour department made efforts for conciliation, but

when the conciliation failed, the Labour Officer, Mandi, sent the reference with his report to the Labour Commissioner, vide letter dated 17-3-2003. The Labour Commissioner took at least one year to refer the dispute for adjudication to this court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore, the plea taken by the respondents that the petition is barred by limitation is unsustainable. Otherwise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity Board," 2001 L. L. R. 900 has held as under:-

"Limitation-Principle of Limitation applicable for making reference-service of workman terminated on 17-7-1975 workman challenged his termination Government made reference on 29-3-1993 under Section 2. K. of the U. P. Industrial Disputes Act Section 2K is almost in tune with Section 10 of the I. D. Act. Management filed petition-High Court quashed the reference order passed by the Government solely on the such delay, appeal-accepted-The High Court should not have quashed the reference. The words "At Any Time" as used in the section are *prima facie* indicator to a period without boundary".

29. In view of the position of law, which is fully applicable in the facts and circumstances of the present case, the stand taken by the respondents with regard to the limitation is unsustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

RELIEF

30. In view of my findings on above issues, since the services of the petitioner were terminated by the respondents in violation of the mandatory requirements of section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-employment on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this award be sent to the appropriate Government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.

21-7-2005.
Seal.

GEORGE,
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Dharamshala, Himachal Pradesh.

Certified Copy Before Shri George, Presiding Judge,
Labour Court-cum-Industrial Tribunal, Dharamshala
camp at Mandi, Himachal Pradesh

Reference No. : 9/2004 (344/04)
Instituted on : 3-1-2004
Decided on : 21-7-2005

Shri Parshotam Ram son of Shri Tulsi Ram r/o Village
Thach, P. O. and Tehsil Thunag, District Mandi, H. P.
.. Petitioner.

Vs.

1. Executive Engineer, I&PH Division Sundernagar, Mandi, Himachal Pradesh.
2. Asstt. Engineer, I&PH Sub-Division Thunag, Division Sundernagar District Mandi, H. P.

3. State of Himachal Pradesh through its Secretary IPH, Shimla Himachal Pradesh.

.. Respondents.

"Reference under section 10 of the Industrial Disputes Act, 1947."

For the petitioner : Shri K. S. Guleria, Adv.

For the respondents : Shri Rakesh Rana, AE/AR.

AWARD

1. The following reference has been received from the appropriate Government by this court for adjudication :

"Whether the termination of Shri Parshotam Ram son of Shri Tulsi Ram, Daily wages Beldar by the Executive Engineer, IPH Division, Sundernagar, District Mandi, Himachal Pradesh w. e. f. 16-11-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified ? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to ?"

2. The petitioner filed statement of claim. Brief facts of the claim of the petitioner is that he was engaged as daily waged worker by the respondent No. 1 on muster roll basis from 5-4-1998 and he worked as such till 16-11-2000 with some artificial breaks. The petitioner further alleged that his services were terminated by the respondents in an illegal and arbitrary manner without giving any notice. The respondents have engaged many junior persons to the petitioner by giving contract to the contractors with a view to defeat the right of the petitioner. The petitioner approached the respondents to re-engage him but to no respondents orally assured to re-engage him. The services of the petitioner were terminated despite the fact that the work and funds were available with the respondents. The petitioner alleged that action of the respondents is unconstitutional, mala fide, discriminatory unjustified and against the mandatory provision of Industrial Disputes Act, 1947. Hereinafter referred in short as the Act). The petitioner has prayed for his reinstatement with continuity by adding the period of artificial breaks of service including all consequential service benefits.

3. The claim of the petitioner is resisted and contested by the respondents. The respondents filed joint reply, wherein they raised preliminary objections in nutshell *qua* maintainability and the petition is barred by limitation. On merits, the respondents alleged that the petitioner had worked intermittently as and when circumstances were convenient to him and he was not a continuous worker, therefore, the provisions of Industrial Disputes Act, 1947 are not applicable. However, the petitioner has been dis-engaged on the principle of 1st Come, last go. The respondents never interrupted the services of the petitioner but the petitioner, himself worked intermittently at his own sweet will as and when circumstances convenient to him. The petitioner less engaged as a casual worker against various construction scheme, depending upon availability of work and funds. The petitioner was not in continuous service, hence no notice under section 25-F was required to be issued to the petitioner. As regard awarding of the work to the contractors is concerned, it is submitted that the respondents can carry out the work through contract under the law. The respondents denied that the respondents have violated the principle of last come, first go. The respondents submitted that the petitioner has not completed 240 continuous working days in preceding 12 months, hence the petitioner is not entitled for any seniority. The respondents have prayed for dismissal of the petitioner with costs.

4. The petitioner filed rejoinder, wherein the petitioner re-affirmed and reiterated the averments made in the

petition and denied the assertions of the respondents made in the reply.

5. On the respective assertions of the parties, the following issues have been framed on 24-11-2004.

1. Whether the termination of the service of the petitioner is in violation of the mandatory provisions of Industrial Disputes Act 1947 ? If so its effect ? ...OPP.
2. If issue No. 1 is proved in affirmative, to what relief, benefits alongwith amount of compensation the petitioner is entitled to ? ...OPP.
3. Whether the petition is barred by limitation? ...OPR.
4. Relief. ...OPR.

6. For the reasons to be recorded hereinafter my issuewise findings are as under:—

Issue No. 1 : Yes.

Issue No. 2 : As per operative part of Award.

Issue No. 3 : No

Issue No. 4 (relief) : The petition is allowed as per operative part of Award.

REASONS FOR FINDINGS

Issue No. 1 And 2:

7. Both the issues are inter-connected and hence taken together for discussions and findings.

8. The petitioner Parshotam Lal tendered in evidence his affidavit Ex. RW1/A as PW1 where in he has stated that he was engaged as daily wager Beldar by the respondents *w. e. f.* 5-4-1988 and his services were terminated with an illegal manner *w. e. f.* 16-11-2000. He was always ready to work with the respondents but the respondents used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of a permanent workman, and despite the fact that the respondents had sufficient work, the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workmen every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and again by way of victimisation, not in a good faith, but in colourable exercise of employer's right for patently false reasons of un-true and trumped up allegations of absence from duty.

9. The respondents while cross-examing in the petition Parshotam Ram has not contradicted the material facts the petitioner has deposed in his Affidavit Ex. PW1/A in affirmative. The petitioner was put to the suggestion that he had not completes 240 days. The petitioner admitted this fact, but he explained that the department had given him breaks deposite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retained in service by the respondents. He stated that one Shri Tek Singh s/o Shri Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examined one Shri Rakesh Rana, Assistant Engineer, IPH Sub-Division Thunag, District Mandi, as RW1, who has stated that the petitioner was engaged as a daily wager beldar *w. e. f.*

5-4-1988 and he worked upto 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till date (*i. e.* 26-4-2005) for his dis-engagement *w. e. f.* 16-11-2000. He has brought on the record the mandays chart Ex. RW-1 showing the working days of the petitioner as daily wager.

11. Shri Rakesh Rana, RW-1, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are dis-engaged. The petitioner worked at different schemes and lastly he was working at Khuldhar P. W. S. S. In the month of November due to snow fall the work was closed down and the petitioner was dis-engaged and later on this work allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondents department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for these schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the dis-engagement of the petitioner *w. e. f.* 16-11-2000 the department had not issued any muster roll and for this reason the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged *w. e. f.* 16-11-2000 and the petitioner made request and showed his willingness. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged *w. e. f.* 5-4-1988 and he continued to work with the respondents as daily wager till 16-11-2000 when he was dis-engaged in an illegal manner. The respondent by giving illegal breaks did not allow the petitioner to complete 240 working days with a mala fide intention and juniors of the petitioner were engaged, where as the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory pleas. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work accordingly to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondents is that the petitioner was working at a scheme known as Khuldhar P. W. S. S. and the work of this scheme had to be close down due to snow fall *w. e. f.* 16-11-2000.

14. Shri Rakesh Rana, RW-1, has taken the first stand in his examination in chief and has taken all together different the second stand in his cross-examination. It appears that the respondents are not actually aware, as to whether the services of the petitioner were dis-engaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, RW-1, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW-1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW-1, however, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete his 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW-1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 300 days. The respondent with an intention to not allow the petitioner to complete his 240 working days used to issue the muster roll for shorter periods instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW1 i. e. December 1999 till November 15, 2000, the respondents gave the petitioner illegal breaks for a period of 92 days. The Mandays chart Ex. RW1 reveals that the muster roll was issued for a month of December 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 21 days, whereas the muster roll was not issued for the remaining 10 days. Similarly, in January 2000 muster roll was not issued and therefore, the petitioner was deprived of 31 working days. In June 2000 the muster roll was issued for the period 5-6-2000 to 25-6-2000 and the petitioner worked for 21 days and for the remaining 9 days no muster roll was issued and the petitioner was deprived of continuing the work for the remaining period of 9 days in June 2000. Similarly, the muster roll was issued for the month of July 2000 w.e.f. 5-7-2000 to 25-7-2000. The petitioner worked for 13 days and he was deprived of working of remaining 10 days. In the month of August 2000 the muster roll was issued w.e.f. 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September 2000. In September 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, the petitioner was deprived of working for 10 days. Similarly, in October 2000 the petitioner was deprived of working for 11 days, for non-issuance of muster roll and in November 2000 the muster roll was issued only for the period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were dis-engaged w.e.f. 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to snowfall, as has been admitted by Shri Rakesh Rana, RW1, in his cross-examination.

18. Taking into consideration the position as has been referred to hereinabove, the petitioner as per the calculations of the respondents in the last 12 preceding months i. e. December 1999 to November 2000 has worked for 208 days and if, the period for which the petitioner was not allowed to work not on account of his fault, but on account of the unfair labour practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 20 days or so or for not issuing the muster rolls in the month of January 2000 due to snowfall etc. for no fault of the petitioner, the total number of days which comes to 92 has to be accounted towards the continuous service of the petitioner as per sub-section (1) of section 25-B of the Act, continuous service means:—

“25-B. Definition of continuous service.—For the purpose of this Chapter:—

(1) a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman:”

19. The words “Cessation of work is not due to any fault on the part of the workman” used in sub-section (1) of section 25-B of the Act, has the clear meaning that the period of cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon'ble Bombay High Court in case

titled “Kukadi Irrigation Project V. Waman, 1994 LLR 381 (Bom)” that:—

“That the period of cessation of work not due to any fault on the part of the employee, always gets calculated as a period of continuous service”.

20. The petitioner has thus completed 300 working days during the last 12 preceding months i. e. from December 1999 to November 2000 (i. e. 208 working days and 92 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of 240 working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact completed 240 days in the preceding 12 months period which in the present case has been established beyond any reasonable doubt. Once it is proved that the petitioner being a workman has completed 240 working days during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under:—

“25-F. Conditions precedent to retrenchment of workmen:—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until:—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment compensation, which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate government by notification in the official gazette).”

22. The conditions enumerated in section 25-F (a), (b) and (c) of the Act are precedent. The provisions of Section 25-F are couched in mandatory form and non-compliance therewith as a result of rendering the order of retrenchment void, *ab initio* or nonest (State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR 369 (Raj.).

23. The Hon'ble Supreme Court in case titled “Auro Engg. Pvt. Ltd. V. R. A. Gadekar,” 1992 (1) LLJ 693, Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of section 25-F of the Act, as under:—

“It is settled law that section 25 F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source of livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25-F viz. payment

of one month's wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F, the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workman. Consequently, contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it *void, ab initio*.

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, PW1, in his cross-examination and the facts as are emerging from the mandays chart Ex. RW1, brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagement of the petitioner is not only unfair, unjustified, but also illegal. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 LLR 312, that in case a workman is dis-engaged in violation of the mandatory requirements of Section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis engagement and consequently, the petitioner is entitled for all consequential service benefits including back wages. The Hon'ble Supreme Court has made the following observations in para 2 of the judgment that:—

"The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the casual worker's services can be put to an end but if the award made by the Labour Court would make him permanent employee, so on and so forth. The High Court lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act, if there has been violation thereof such an employee will have to be reinstated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the High Court, and restore the award made by the Labour Court. The appeal is allowed accordingly".

25. The petitioner had claimed all service consequential benefits including back wages for his illegal termination in violation of the mandatory provisions of section 25-F (a), (b) and (c) of the Act by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. Rather the contradictory stand has been taken by the respondents *i. e.* first, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the area *w. e. f.* 16-11-2000 and therefore, the petitioner was dis-engaged from 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work/scheme within the sub-division or the division of the respondents during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement

on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, both the issues are decided in favour of the petitioner and against the respondents.

Issue No. 3 :

28. The respondents have led no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an industrial dispute. However, in the peculiar facts and circumstances of the case, the court should look into the other aspects of the case *i. e.* laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were dis-engaged *w. e. f.* 16-11-2000 and he raised the industrial dispute with the Labour department. The Labour department made efforts for conciliation, but when the conciliation failed, the Labour Officer, Mandi, sent the reference with his report to the Labour Commissioner, vide letter dated 17-3-2003. The Labour Commissioner took atleast one year to refer the dispute for adjudication to this court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore, the plea taken by the respondents that the petition is barred by limitation is unsustainable. Otherwise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity Board", 2001 LLR 900, has held as under:—

"Limitation—Principle of Limitation applicable for making reference—service of workman terminated on 17-7-1975 workman challenged his termination—Government made reference on 29-3-1993 under Section 2 K of the U. P. Industrial Disputes Act. Section 2 K is almost in tune with section 10 of the Industrial Disputes Act—Management filed petition—High Court quashed the reference order passed by the Government solely on the such delay. appeal—accepted—The High Court should not have quashed the reference. The words "At Any Time" as used in the section are *prima facie* indicator to a period without boundary".

29. In view of the position of law, which is fully applicable in the facts and circumstances of the present case, the stand taken by the respondents with regard to the limitation is unsustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

RELIEF :

30. In view of my findings on above issues, since the service of the petitioner were terminated by the respondents in violation of the mandatory requirements of Section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this Award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.

Seal.

GELRGE,
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Dharamshala, Himachal Pradesh.

In the Court of Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, Himachal Pradesh Camp at Mandi

Reference No. .. 3/2004 (RBT No. 338/04)
Instituted on .. 3-1-2004
Decided on .. 21-7-2005

Tek Singh s/o Shri Karam Singh, Village Thach, P.O. Lamba Thach, Tehsil Thuang, District Mandi, Himachal Pradesh .. *Petitioner.*

Vs.

1. Executive Engineer, I & PH Sundernagar Division, Mandi, Himachal Pradesh.
2. Asstt. Engineer, I & PH Sub-Division Thunag, Division Sundernagar, District Mandi, Himachal Pradesh.
3. State of Himachal Pradesh through its Secretary IPH, Shimla, Himachal Pradesh .. *Respondents.*

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner .. Shri K. S. Gueria, Adv.
For the respondents .. Shri Rakesh Rana, AE/AR.

AWARD

The following reference has been received from the appropriate government for adjudication:—

“Whether the termination of services of Shri Tek Singh s/o Shri Karam Singh Daily Wages Beldar by the Executive Engineer, IPH Division Sundernagar, District Mandi, Himachal Pradesh *w. e. f.* 16-11-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?”

2. The petitioner filed statement of claim. Brief facts of the claim of the petitioner are that he was engaged as daily waged worker by the respondent No. 1 on muster roll basis from 21-8-1987 and he worked as such till 15-11-2000 with some artificial breaks. He further alleged that his services were terminated by the respondents in an illegal and arbitrary manner without giving any notice. The respondents have engaged many junior persons to the petitioners by giving contract to the contractors with a view to defeat the right of the petitioner. The petitioner approached the respondents to re-engage him but to no avail. However, the respondents orally assured to re-engage him. The services of the petitioner were terminated despite the fact that the work and funds were available with the respondents. The petitioner alleged that action of the respondents is unconstitucional, malefide, discriminatory, unjustified and against the mandatory provisions of Industrial Disputes Act, 1947 (hereinafter referred in short as the Act). The petitioner has prayed for his re-instatement with continuity of service by adding the period of artificial breaks given by the respondents, including all consequential benefits.

3. The claim of the petitioner is resisted and contested by the respondents. The respondents filed joint reply, wherein they raised the preliminary objections in nutshell qua maintainability and the petitioner is barred by limitation. On merits, the respondents alleged that the petitioner had worked intermittently as and when circumstances were convenient to him and he was not a continuous worker, therefore, the provisions of Industrial Disputes Act, 1947 are not applicable. However, the petitioner has been dis-engaged on the principle of first come, last go. The respondents never interrupted the services of the petitioner, but the petitioner himself worked intermittently at his own sweet will as and when the circumstances convenient to him. The petitioner was engaged as a casual

worker against various construction schemes, depending upon availability of work and funds. The petitioner was not in continuous service, hence no notice under Section 25-F of the Act was required to be issued to the petitioner. As regards awarding of the work to the contractors is concerned, it is submitted that the respondents can carry out the work through contract under this law. The respondents denied that they have violated the principle of last come, first go. The respondents submitted that the petitioner has not completed 240 continuous working days in preceding 12 months, hence the petitioner is not entitled for any seniority. The respondents have prayed for dismissal of the petitioner with costs.

4. The petitioner filed rejoinder wherein the petitioner re-affirmed and reiterated the averments made in the petition and denied the assertions of the respondents made in the reply.

5. On the respective assertions of the parties, the following issues were framed on 24-11-2004:—

1. Whether the termination of the services of the petitioner is in violation of the mandatory provisions of Industrial Disputes Act, 1947? If so, its effect? OPR.

2. If issue No. 1 is proved in affirmative, to what relief, benefits alongwith amount of compensation the petitioner is entitled to? OPR.

3. Whether the petition is barred by limitation? OPR.

4. Relief.

6. For the reasons to be recorded herein after my issuewise findings are as under:—

Issue No. 1 Yes.

Issue No. 2 As per operative part of Award.

Issue No. 3 No.

Relief The petition is allowed as per operative part of the Award.

REASONS FOR FINDINGS

Issue No. 1 and 2 :

7. Both the issues are inter-connected and hence taken together for discussions and findings.

8. The petitioner Tek Singh tendered in evidence his Affidavit Ex. PW1/A as PW1 wherein he has stated that he was engaged as daily wage beldar by the respondents *w. e. f.* 21-8-1987 and his services were terminated with an illegal manner *w. e. f.* 16-11-2000. He was always ready to work with the respondents, but the respondents used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of a permanent workman, and despite the fact that the respondents had sufficient work, the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workmen every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and again by way of victimisation, not in a good faith, but in colourable exercise of employer's right for patently false reasons of untrue and trumped up allegations of absence from duty.

9. The respondents while cross-examining the petitioner Tek Singh has not contradicted the materia

facts the petitioner has deposed in his Affidavit Ex. PW1/A in affirmative. The petitioner was put to the suggestion that he had not completed 240 days. The petitioner admitted this fact, but he explained that the department has given him breaks despite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retained in service by the respondents. He stated that one Shri Tek Singh s/o Shri Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examined one Shri Rakesh Rana, Assistant Engineer, IPH Sub-Division, Thunag, District Mandi, as RW1, who has stated that the petitioner was engaged as a daily wager beldar w. e. f. 21-8-1987 and he worked upto 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till date (i. e. 26-4-2005) for his dis-engagement w. e. f. 16-11-2000. He has brought on the record the mandays chart Ex. RW1 showing the working days of the petitioner as daily wager.

11. Shri Rakesh Rana, RW1, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are dis-engaged. The petitioner worked at different schemes and lastly he was working at Khildhar P.W.S.S. In the month of November due to snow fall the work was closed down and the petitioner was dis-engaged and later on this work was allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondent department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of Section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for these schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the dis-engagement of the petitioner w. e. f. 16-11-2000 the department had not issued any muster roll and for this reason the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged w. e. f. 16-11-2000 and the petitioner made request and showed his willingness for his re-engagement. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged w. e. f. 21-8-1987 and he continued to work with the respondents as daily wager till 16-11-2000 when he was dis-engaged in an illegal manner. The respondents by giving illegal breaks did not allow the petitioner to complete 240 working days with a mala fide intention and juniors of the petitioner were engaged, whereas the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory pleas. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work according to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondents is that the petitioner was working at a scheme known as Khildhar P. W. S. S. and the work of this scheme had to be close down due to snowfall w. e. f. 16-11-2000.

14. Shri Rakesh Rana, RW1, has taken the first stand in his examination in chief and has taken all together different the second stand in his cross-examination. It appears that the respondents are not actually aware, as

to whether the services of the petitioner were dis-engaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, RW1, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW1, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete his 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 322 days. The respondents with an intention not to allow the petitioner to complete his 240 working days used to issue the muster roll for shorter periods instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW1 i. e. December, 1999 till November 15, 2000, the respondents gave the petitioner illegal breaks for a period of 123 days. The mandays chart Ex. RW1 reveals that the muster roll was issued for the month of December, 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 21 days, whereas the muster roll was not issued for the remaining 10 days. Similarly, in January, 2000 and March, 2000 muster roll was not issued and therefore, the petitioner was deprived of 62 working days (31 days each for March, 2000 and January, 2000). In June, 2000 the muster roll was issued for the period 5-6-2000 to 25-6-2000 and the petitioner worked for 21 days and for the remaining 9 days no muster roll was issued and the petitioner was deprived from continuing the work for the remaining period of 9 days in June, 2000. Similarly, the muster roll was issued for the month of July, 2000 w. e. f. 5-7-2000 to 25-7-2000. The petitioner worked for the entire period of 21 days and he was deprived of working of remaining 10 days. In the month of August, 2000 the muster roll was issued w. e. f. 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September, 2000. In September, 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, the petitioner was deprived of working for 10 days. Similarly, in October, 2000 the petitioner was deprived of working for 11 days for non-issuance of muster roll and in November, 2000 the muster roll was issued only for the period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were dis-engaged w. e. f. 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to the snow fall, as has been admitted by Shri Rakesh Rana, RW1, in his cross-examination.

18. Taking into consideration the position as has been referred to herein above, the petitioner as per the calculations of the respondents in the last 12 preceding months i. e. December, 1999 to November, 2000 has worked for 199 days and if, the period for which the petitioner was not allowed to work not on account of his fault, but on account of the unfair labour practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 30 days or so or for not issuing the muster rolls in the month of January, 2000 and March, 2000 due to snow fall etc. for no fault of the petitioner the total number of days which comes to 123 has to be accounted towards the continuous service of the petitioner as per sub-section (1) of Section 25-B of the Act. continuous service means:—

"25-B. Definition of continuous service for the purpose of this chapter.—

(1) a workman shall be said to be in continuous service for a period if he is, for that period.

in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident, or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman.”

19. The words “Cessation of work which is not due to any fault on the part of the workman” used in subsection (1) of section 25-B of the Act, has the clear meaning that the period of cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon’ble Bombay High Court in case titled “Kukadi Irrigation Project V. Waman, 1994 LLR 381 (Bom)” that:—

“That the period of cessation of work not due to any fault on the part of the employee, always gets calculated as a period of continuous service.”

20. The petitioner has thus completed 322 working days during the last 12 preceding months *i. e.* from December, 1999 to November, 2000 (*i. e.* 199 working days and 123 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of 240 working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact completed 240 days in the preceding 12 months period which in the present case has been established beyond any reasonable doubt. Once it is proved that the petitioner being a workman has completed 240 working days during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under:—

“25-F. Conditions precedent to retrenchment of workman:—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until:—

- (a) the workman has been given one month’s notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days’ average pay (for every completed year of continuous service) or part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate government by notification in the official gazette).”

22. The conditions enumerated in section 25-F (a), (b) and (c) of the Act are precedent. The provisions of section 25-F are couched in mandatory form and non-compliance therewith as a result of rendering the order of retrenchment void *ab initio* or *non est* (State of Rajasthan Vs. Miss Usha Lokwani 1994 L L R 369 (Raj.)).

23. The Hon’ble Supreme Court in case titled “Auro Engg. Pvt. Ltd. V. R. A. Gadekar”, 1992 (1) L L J 693, Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of Section 25-F of the Act as under:

“It is settled law that section 25-F of the Act was introduced into the statute book by Parilia-

ment as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source of livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25-F, viz. payment of one month’s wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of Section 25-F, the section imposes a mandatory duty on the employer, which is a condition precedent to retrenchment of workmen. Consequently contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void *ab initio*.”

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, PW1, in his cross-examination and the facts as are emerging from the mandays Chart Ex. RW1, brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagement of the petitioner is not only unfair, unjustified, but also illegal. It has been held by the Hon’ble Supreme Court in case titled “Deep Chandra Vs. State of Uttar Pradesh and Another”, 2001 LLR 312, that in case a workman is dis-engaged in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis-engagement and consequently, the petitioner is entitled for all consequential service benefits including seniority, back wages. The Hon’ble Supreme Court has made the following observations in para 2 of the judgment that:—

“The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the casual worker’s services can be put to an end to but if the award made by the Labour Court would make him permanent employee, so on and so forth. The High Court lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the High Court and restore the award made by the Labour Court. The appeal is allowed accordingly.”

25. The petitioner had claimed all service consequential benefits including back wages for his illegal termination in violation of the mandatory provisions of section 25-F (a), (b) and (c) of the Act, by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. Rather the contradictory stand has been taken by the respondents *i. e.* first, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the area w. e. f. 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work-scheme within the sub-division or the division of the respondents during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, both the issues are decided in favour of the petitioner and against the respondents.

Issue No. 3 :

28. The respondents have led to no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an Industrial dispute. However, in the peculiar facts and circumstances of the case, the Court should look into the other aspects of the case i.e. laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were dis-engaged w.e.f. 16-11-2000 and he raised the industrial dispute with the Labour department. The Labour department made efforts for conciliation, but when the conciliation failed, the Labour Officer, Mandi, sent the reference with his report to the Labour Commissioner, vide letter dated 17-3-2003. The Labour Commissioner took at least one year to refer the dispute for adjudication to this court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore the plea taken by the respondents that the petition, is barred by limitation is un-sustainable. Otherwise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity Board", 2001 LLR 900, has held as under :—

"Limitation-Principle of Limitation applicable for making reference-service of workman terminated on 17-7-1975 workman challenged his termination Govt. made reference on 29-3-1993 under Section 2K of the U.P. Industrial Disputes Act. Section 2 K, is almost in tune with section 10 of the Industrial Disputes Act. Management filed petition-High Court quashed the reference order passed by the Govt. solely on the such delay, appeal-accepted. The-High Court should not have quashed the reference. The words "At Any time" as used in the section are *prima facie* indicator to a period without boundary."

29. In view of the position of law, which is fully applicable in the facts and circumstances of the present case, the stand taken by the respondents with regard to the limitation is un-sustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

RELIEF

30. In view of my findings on above issues, since the services of the petitioner were terminated by the respondents in violation of the mandatory requirements of Section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this award be sent to the appropriate Government for publication in the office gazette.

The file after completion be consigned to the record room.

Announced
21-7-2005.

Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Dharamshala (H. P.).

Before Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, camp at Mandi (H.P.)

Reference No. ..10/2004(345/04)
Instituted on .. 3-1-2004
Decided on .. 21-7-2005

Shri Tara Chand son of Shri Paras Ram, r/o village Pyala, P.O. & Tehsil Thunag, District Mandi, H.P.
.. Petitioner.

Vs.

1. Executive Engineer, I & P.H. Div. Sundernagar, Mandi, H. P.

2. Asstt. Engineer, I & P. H. Sub-Division Thunag, Div. Sundernagar, Mandi, H.P.

3. State of H. P. through its Secretary, I.P.H., Shimla, H.P.
.. Respondents.

"Reference under section 10 of the Industrial Disputes Act, 1947."

For the petitioner .. Shri K. S. Guleria, Adv.

For the respondents .. Shri Rakseh Rana, AE/AR.

AWARD

The following reference has been received by this court from the appropriate Government for adjudication:

"Whether the termination of service of Shri Tara Chand son of Shri Paras Ram, daily wages Beldar by the Executive Engineer, IPH Division, Sundernagar, District Mandi, H. P. w. e. f. 16-11-2000 without complying the provisions of the Industrial Dispute Act, 1947 is proper & justified ? If not, what service benefits and amount of compensation the above aggrieved workman is entitled to ?"

2. The petitioner filed statement of claim, Brief-facts of the claim of the petitioner is that he was engaged as daily waged worker by the respondent No. 1 on muster roll basis from 1-10-1993 and he worked as such till 16-11-2000 with some artificial breaks. The petitioner further alleged that his services were terminated by the respondents in an illegal and arbitrary manner without giving any notice. The respondents have engaged many junior persons to the petitioner by giving contract to contractors with a view to defeat the rights of the petitioner. The petitioner approached the respondents to re-engage him but to no avail. However, the respondents orally assured to re-engage him. The services of the petitioner were terminated despite the fact that the work and funds were available with the respondents. The petitioner alleged that action of the respondents is unconstitutional, *malafide*, discriminatory un-justified, and against the mandatory provisions of Industrial Disputes Act, 1947. The petitioner has prayed for his reinstatement with continuity of service by adding the period of artificial breaks of service including all consequential service benefits.

3. The claim of the petitioner is resisted and contested by the respondents. The respondents filed joint reply, wherein they raised preliminary objections in nutshell *qua* maintainability and the petition is barred by limitation. On merits, the respondents alleged that the petitioner had worked intermittently as and when circumstances were convenient to him and he was not a continuous worker, therefore, the provisions of Industrial

Disputes Act, 1947 are not applicable. However the petitioner has been dis-engaged on the principle of last come, last go. The respondents never interrupted the services for the petitioner but the petitioner himself worked intermittently at his own sweet will as and when circumstances convenient to him. The petitioner engaged as casual worker against various construction schemes depending upon availability of work and funds. The petitioner was not in continuous service, hence no notice under section 25-F was required to be issued to him. As regard awarding of the work to the contractors is concerned, it is submitted that the respondents can carry out the work through contract under the law. The respondents denied that the respondents have violated the principle of last come first go. The respondents submitted that the petitioner has not completed 240 continuous working days in preceding 12 months, hence the petitioner is not entitled for any seniority. The respondents have prayed for dismissal of the petition with costs.

4. The petitioner filed rejoinder, where in the petitioner re-affirmed and reiterated the averments made in the petition and denied the allegations of the respondents made in the reply.

5. On the respective assertion of the parties, the following issues were framed on 24-11-2004.

1. Whether the termination of services of the petitioner is in violation of the mandatory provisions of Industrial Disputes Act, 1947. If so its effect? OPP.
 2. If issue No. 1, is proved in affirmative, to what relief, benefits alongwith the amount of compensation the petitioner is entitled to? OPP.
 3. Whether the petition is barred by limitation? OPR.
 4. Relief.
 6. For the reasons to be recorded hereinafter my issue-wise findings are as under:
- | | | |
|-------------|----|---|
| Issue No. 1 | .. | Yes |
| Issue No. 2 | .. | As per operative part of Award. |
| Issue No. 3 | .. | No |
| Issue No. 4 | .. | The petition is allowed as per operative part of the Award. |

REASONS FOR FINDINGS

Issue No. 1 and 2 :

7. Both the issues are inter-connected and hence taken together for discussions and findings

8. The petitioner Tara Chand tendered in evidence his affidavit Ex. PW-1/A as PW-1 wherein he has stated that he was engaged as daily wage beldar by the respondents w.e.f. 1-10-1993 and his services were terminated with an illegal manner w.e.f. 16-11-2000. He was always ready to work with the respondent but the respondent used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of a permanent workman and despite the fact that the respondents had sufficient work the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workmen every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and again by way of victimisation, not in a good faith, but in colourable exercise of employer's right for patently false reasons of un-true and trumped up allegations of absence from duty.

9. The respondents while cross-examining the petitioner Tara Chand has not contradicted the material facts the petitioner has deposed in his affidavit Ex PW 1/A in affirmative. The petitioner was put to the suggestion that he had not completed 240 days. The petitioner admitted this fact, but he explained that the department has given him breaks despite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retained in service by the respondents. He stated that one Shri Tek Singh s/o Sh. Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examined one Shri Rakesh Rana Assistant Engineer, IPH Sub-Division, Thunag, Dist. Mandi, as RW-1, who has stated that the petitioner was engaged as a daily wage beldar w.e.f. 1-10-1993 and he worked upto 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till date (i.e. 26-4-2005) for his dis-engagement w.e.f. 16-11-2000. He has brought on the record the mandays chart Ex. RW-1 showing the working days of the petitioner as daily wage.

11. Shri Rakosh Rana, RW-1, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are dis-engaged. The petitioner worked at different schemes and lastly he was working at Khildhar P.W.S.S. In the month of November due to snow fall the work was closed down and the petitioner was dis-engaged and lateron this work was allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondents department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of Section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for these schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the disengagement of the petitioner w.e.f. 16-11-2000 the department had not issued any muster roll and for this reasons the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged w.e.f. 16-11-2000 and the petitioner made requests and showed his willingness for his re-engagement. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged w.e.f. 1-10-1993 and he continued to work with the respondents as daily wage till 16-11-2000 when he was dis-engaged in an illegal manner. The respondents by giving illegal breaks did not allow the petitioner to complete 240 working days with a mala fide intention and juniors of the petitioner were engaged, whereas the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory plea. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work according to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondents is that the petitioner was working at a scheme known as Khildhar P.W.S.S. and the work of this scheme had to be closed down due to snow fall w.e.f. 16-11-2000.

14. Shri Rakesh Rana, RW-1, has taken the first stand in his examination in chief and has taken all together different the second stand in his cross-examination 1

appear that the respondents are not actually aware, as to whether the services of the petitioner were disengaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, F.W-I, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW-1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW-1, however, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete his 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW-1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW-1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 305 days. The respondents with an intention not to allow the petitioner to complete his 240 working days used to issue the muster roll for shorter periods instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW-1 i.e. December 1999 till November 15, 2000, the respondents gave the petitioner illegal breaks for a period of 94 days. The mandays chart Ex. RW-1 reveals that the muster roll was issued for a month of December, 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 21 days, whereas the muster roll was not issued for the remaining 10 days. Similarly, in January 2000 muster roll was not issued and therefore, the petitioner was deprived of 31 working days. In June 2000 the muster roll was issued for the period 5-6-2000 to 25-6-2000 and the petitioner worked for 21 days and for the remaining 9 days no muster roll was issued and the petitioner was deprived from continuing the work for the remaining period of 9 days in June, 2000. Similarly, the muster roll was issued for the month of July, 2000 w.e.f. 5-7-2000 to 25-7-2000. The petitioner worked for the entire period of 21 days and he was deprived of working of remaining 10 days. In the month of August, 2000 the muster roll was issued w.e.f. 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September, 2000. In September, 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, the petitioner was deprived of working for 10 days. Similarly, in October, 2000 the petitioner was deprived of working from 11 days for non-issuance of muster roll and in November, 2000 the muster roll was issued only for the period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were disengaged w.e.f. 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to the snow fall, as has been admitted by Shri Rakesh Rana, RW-I, in his cross-examination.

18. Taking into consideration the position as has been referred to herein above, the petitioner as per the calculations of the respondent in the last 12 preceding months i.e. December, 1999 to November 2000 has worked for 211 days and if, the period for which the petitioner was not allowed to work not on account of his fault, but on account of the unfair labour practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 30 days or so or for not issuing the muster rolls in the month of January, 2000 due to snow fall etc. for no fault of the petitioner, the total number of days which comes to 94 has to be accounted towards the continuous service of the petitioner as per sub-section (1) of section 25-B of the Act, continuous service means :-

"25-B : Definition of continuous service. For the purpose of this chapter :

(1) A workman shall be said to be in continuous service for a period if he is, for that period,

in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock out or a cessation of work which is not due to any fault on the part of the workman."

19. The words "Cessation of work which is not due to any fault on the part of the workman" used in sub-section (1) of section 25-B of the Act, has the clear meaning that the period of (cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon'ble Bombay High Court in case titled "Kakadi Jangam Prasad V. Waman, 1994 I.L.R. 381 (Bombay)", that :

"That the period of cessation of work not due to any fault on the part of the employee always gets calculated as a period of continuous service."

20. The petitioner has thus completed 305 working days during the last 12 preceding months i.e. from December, 1999 to November 2000 (i.e. 211 working days and 94 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of 240 working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact completed 240 days in the preceding 12 months period which in the present case has been established beyond any reasonable doubt. Once it is proved that the petitioner being a workman has completed 240 working days during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under :

"25-F : Conditions precedent to retrenchment of workmen :

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :-

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days average pay (for every completed year of continuous service) or part thereof in excess of six months) and :
- (c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the official gazette)."

22. The conditions enumerated in section 25-F (a), (b) and (c) of the Act are precedent. The provisions of Section 25-F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void *ab initio* or nonest (State of Rajasthan Vs. Miss Usha Lekhani, 1994 I.L.R. 309(Raj.))

23. The Hon'ble Supreme Court in case titled "Auro Engg. Pvt. Ltd. V. R. A. Gadekar", 1992 (1) LLJ 693, Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of section 25-F of the Act as under :

"It is settled law that Section 25-F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The

Section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of Section 25-F. viz. payment of one month's wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of Section 25-F. The section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however, slight vitiates the Act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void *ab initio*."

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, RW-1, in his cross-examination and the facts as are emerging from the mandays chart Ex. RW-1 brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagement of the petitioner is not only unfair, unjustified, but also illegal. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 LLR 312, that in case a workman is dis-engaged in violation of the mandatory requirement of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis-engagement and consequently, the petitioner is entitled for all consequential service benefits including back wages. The Hon'ble Supreme Court has made the following observations in para 2 of the Judgment that :

"The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the casual worker's services can be put to an end to but if the award made by the labour Court, would make him permanent employee so on and so forth. The High Court lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year for several years whether his services can be put to an end to without following the procedure prescribed under Section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the Labour Court. The appeal is allowed accordingly."

25. The petitioner had claimed all service consequential benefits including back wages for his illegal termination in violation of the mandatory provisions of section 25-F, (a), (b) and (c) of the Act, by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. Rather the contradictory stand has been taken by the respondents i.e. first, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the area w.e.f. 16-11-2000 and therefore, the petitioner was dis-engaged from 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work-scheme within the sub-division or the division of the respondents during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of the 50%. Accordingly both the issues are decided in favour of the petitioner and against the respondents.

Issue No. 3 :

28. The respondents have led no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an industrial dispute. However, in the peculiar facts and circumstances of the case, the court should look into the other aspects of the case i.e. laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were disengaged w.e.f. 16-11-2000 and he raised the industrial dispute with the Labour Department. The Labour Department made efforts for conciliation, but when the conciliation failed, the Labour Officer, Mandi, sent the reference with his report to the Labour Commissioner, vide letter dated 17-3-2003. The Labour Commissioner, took atleast one year to refer the dispute for adjudication to this court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore, the plea taken by the respondents that the petition is barred by limitation is unsustainable. Otherwise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity Board," 2001 LLR 900, has held as under :-

"Limitation-Principle of Limitation applicable for making reference-service of workman terminated on 17-7-1975 workman challenged his termination Government made reference on 29-3-1993 under Section 2 K. of the U.P. Industrial Disputes Act, Section 2. k. is almost in tune with Section 10 of the Industrial Disputes Act. Management filed petition High Court quashed the reference order passed by the Govt. solely on the such delay, appeal accepted. The High Court should not have quashed the reference. The words "At Any Time" as used in the section are *prima facies* indicator to a period without boundary."

29. In view of the position of law, which is fully applicable in the facts and circumstances of the present case, the stand taken by the respondents with regard to the limitation is unsustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

RELIEF

30. In view of my findings on above issues, since the services of the petitioner were terminated by the respondents in violation of the mandatory requirements of section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this Award be sent to the appropriate Government for publication in the official gazette.

The file after completion be consigned to the record room.

Announced.
21-7-2005.

GEORGE
Presiding Judge,
Labour Court cum Industrial Tribunal,
Dharamshala (H. P.).

Certified Copy

In the Court of Shri George, Presiding Judge, Labour Court cum Industrial Tribunal, Dharamshala, camp at Mandi (H. P.)

Reference No. ... 13/2004 (RBT No. 348/2004)
Date of presentation ... 3-1-2004
Date of award ... 21-7-2005

Shri Narpat Rams on of Shri Jai Singh, r/o Village Bakochoh, P. O. & Tehsil Thunag, Distt. Mandi (H. P.)
.. Petitioner.

Vs.

1. Executive Engineer, I & PH Sundernagar Division Mandi (H.P.).
2. Asstt. Engineer, I & PH Sub-Division Thunag, Division Sundernagar, District Mandi (H.P.).
3. State of H. P. through its Secretary IPH, Shimla (H.P.). .. Respondents.

"Reference under section 10 of the Industrial Disputes Act, 1947."

For the petitioner : Shri K. S. Guleria, Adv.
For the respondents : Shri Rakesh Rana, AE/AR

AWARD

The following reference has been received from the appropriate Government for adjudication :

"Whether the termination of service of Shri Narpat Rams on of Shri Jai Singh, daily wages Beldar by the Executive Engineer, IPH Division Sundernagar, District Mandi (H. P.) w.e.f. 16-11-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified ? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to ?"

2. The petitioner filed statement of claim. Brief facts of the claim of the petitioner are that he was engaged as daily waged worker by the respondent No. 1 on muster roll basis from 1-10-1999 and he worked as such till 16-11-2000 with some artificial breaks. The petitioner further alleged that his services were terminated by the respondents in an illegal and arbitrary manner without giving any notice. The respondents have engaged many junior persons to the petitioners by giving contract to the contractors with a view to defeat the right of the petitioner. The petitioner approached the respondents to re-engage him but to no avail. However, the respondents orally assured to re-engage him. The services of the petitioner were terminated despite the fact that the work and funds were available with the respondents. The petitioner alleged that action of the respondents is unconstitutional, mala fide, discriminatory, unjustified and against the mandatory provisions of Industrial Disputes Act, 1947. The petitioner has prayed for his reinstatement with continuity of service by adding the period of artificial breaks given by the respondents, including all consequential benefits.

3. The claim of the petitioner is resisted and contested by the respondents. The respondents filed joint reply wherein they raised preliminary objections in nut shell, *qua* maintainability and the petition is barred by limitation. On merits, the respondents alleged that the petitioner had worked intermittently as and when circumstances

were convenient to him and he was not a continuous worker, therefore, the provisions of Industrial Disputes Act, 1947 are not applicable. However, the petitioner has been dis-engaged on the principle of first come last go. The respondents never interrupted the services of the petitioner but the petitioner himself worked intermittently at his own sweet will as and when circumstances convenient to him. The petitioner engaged as a casual worker against various construction schemes, depending upon availability of work and funds. The petitioner was not in continuous service, hence no notice under section 25-F was required to be issued to the petitioner. As regard awarding of the work to the contractors is concerned, it is submitted that the respondents can carry out the work through contract under the law. The respondents denied that the respondents have violated the principle of last come, first go. The respondents submitted that the petitioner has not completed 240 continuous working days in preceding 12 months, hence the petitioner is not entitled for any seniority. The respondents have prayed for dismissal of the petition with costs.

4. The petitioner filed rejoinder wherein the petitioner reaffirmed and reiterated the averments made in the petition and denied the assertions of the respondents made in the reply.

5. On the respective assertions of the parties, the following issues were framed on 24-11-2004:

1. Whether the termination of the services of the petitioner is in violation of the mandatory provisions of Industrial Disputes Act, 1947 ? If so its effect ? OPP.
2. If issue No. 1 is proved in affirmative, to what relief, benefits alongwith amount of compensation the petitioner is entitled to ? OPP.
3. Whether the petition is barred by limitation ? OPR
4. Relief.
6. For the reasons to be recorded hereinafter my issue-wise findings are as under :

Issue No. 1	Yes
Issue No. 2	Yes
Issue No. 3	No
Issue No. 4 (relief)	The petition is allowed as per operative part of the Award.

REASONS FOR FINDINGS

Issue No. 1 and 2:

7. Both the issues are inter-connected and hence taken together for discussion and findings.

8. The petitioner Narpat Ram tendered in evidence his affidavit Ex. PW1/A as PW1 wherein he has stated that he was engaged as daily wage beldar by the respondents w.e.f. 1-10-1999 and his services were terminated with an illegal manner w.e.f. 16-11-2000. He was always ready to work with the respondents, but the respondents used to give him illegal breaks without any fault on his part and without complying the procedure in order to deprive him from attaining the status of permanent workman, and despite the fact that the respondents had sufficient work, the petitioner was not allowed to work from 16-11-2000 onwards and the work against which he was working was allotted to a contractor in order to defeat his legal rights. He never abandoned the work at his own, but the respondents had not allowed him to work for a complete month. The respondents used to cause interruption in his service and used to appoint new workmen every year after his engagement and dis-engagement without maintaining any seniority list. The respondents also violated the principle of last come first go and his services were terminated time and again by way of victimisation, not in a good faith, but in colourable exercise of employers right for patently false

reasons of un-true and trumped up allegations of absence from duty.

9. The respondents while cross-examining the petitioner Narpal Ram has not contradicted the material facts the petitioner has deposed in his Affidavit Ex. PW1/A in affirmative. The petitioner was put to the suggestion that he had not completed 240 days. The petitioner admitted this fact, but he explained that the department has given him breaks despite the fact that he made requests for not giving false breaks in his service. He denied that he used to remain absent at his own and that no junior to him was retained in service by the respondents. He stated that one Shri Tek Singh s/o Sh. Maya, who is working with the respondents was junior to him.

10. The respondents in order to controvert the evidence of the petitioner examine one Shri Rakesh Rana, Assistant Engineer, IPH Sub-Division, Thunag, Distt. Mandi as RW1, who has stated that the petitioner was engaged as a daily wager beldar w.e.f. 01-10-1999 and he worked up to 16-11-2000. Thereafter, the petitioner left the work at his own. The petitioner could not complete 240 days in any of the year. The petitioner used to come on work as per his own will and he did not make any representation till dated (i.e. 26-4-2005) for his dis-engagement w.e.f. 16-11-2000. He has brought on the record the mandays chart Ex. RW1 showing the working days of the petitioner as daily wager.

11. Shri Rakesh Rana, RW1, admitted in his cross-examination that the department used to prepare the seniority list of the daily wagers for their regularisation. He also admitted that the daily wagers re-engaged as and when the funds are available and the moment the funds are not available they are dis-engaged. The petitioner worked at different schemes and lastly he was working at Khildhar PWSS. In the month of November due to snow fall the work was closed down and the petitioner was dis-engaged and later on this work was allotted to a contractor. He had shown his ignorance as how many persons were employed by the respondent department after the dis-engagement of the petitioner. He admitted that no seniority list has been prepared by the department for the implementation of section 25-G and 25-H of the Act. He admitted that some of the persons junior to the petitioner are still working and the department is running 16/17 development schemes at present and the department is receiving the funds for these schemes. He also admitted that after the petitioner was dis-engaged, he was not given any notice to rejoin and further admitted that after the dis-engagement of the petitioner w.e.f. 16-11-2000 the department had not issued any muster roll and for this reason the petitioner was not re-engaged. He admitted that the petitioner was dis-engaged w.e.f. 16-11-2000 and the petitioner made requests and showed his willingness for his re-engagement. He denied that the petitioner was given artificial breaks so that the petitioner may not complete 240 working days and the department acted in mala fide manner so that the petitioner be not allowed to complete his 240 working days.

12. The main contention of the petitioner is that he was engaged w.e.f. 1-10-1999 and he continued to work with the respondents as daily wager till 16-11-2000 when he was dis-engaged in an illegal manner. The respondents by giving illegal breaks did not allow the petitioner to complete 240 working days with a mala fide intention and juniors of the petitioner were engaged, whereas the petitioner was not re-engaged despite his repeated requests.

13. The respondents have raised contradictory plea. Firstly, that the petitioner used to remain absent and he could not complete 240 days in any year. He used to remain absent and he used to work according to his own will. The petitioner on 16-11-2000 left the job at his own. The second plea of the respondent is that the petitioner was working at a scheme known as Khildhar PWSS and the work of this scheme had to be close down due to snowfall w.e.f. 16-11-2000.

14. Shri Rakesh Rana, RW1, has taken the first stand in his examination-in-chief and has taken all together different the second stand in his cross-examination. It appears that the respondents are not actually aware, as to whether the services of the petitioner were dis-engaged or the petitioner voluntarily abandoned the job himself.

15. Shri Rakesh Rana, RW1, has stated that the petitioner could not complete 240 days in any year of his working and he had brought on the record the mandays chart Ex. RW1 of the petitioner.

16. The petitioner has not disputed the correctness of the mandays chart Ex. RW1, however, he has pleaded that the respondents used to give him fictional breaks with the clear intention not to allow the petitioner to complete 240 working days. This claim of the petitioner is fully supported from the mandays chart Ex. RW1 brought on the record by the respondents.

17. It appears from the perusal of the mandays chart Ex. RW1 that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation is to be made had actually worked for 302 days. The respondents with an intention not to allow the petitioner to complete his 240 days working days used to issue the muster roll for shorter period instead of issuing the muster roll for the entire months. It appears from the perusal of the mandays chart Ex. RW1, i.e. December 1999 till November, 15, 2000, the respondent gave the petitioner illegal breaks for a period of 92 days. The mandays chart Ex. RW1 reveals that the muster roll was issued for a month of December 1999 for the period 5-12-1999 to 25-12-1999 and the petitioner worked for 20 days, whereas the muster roll was not issued for the remaining 10 days. Similarly, in January 2000 muster roll was not issued and therefore, the petitioner was deprived of 31 working days. In June 2000 the muster roll was issued for the period 5-6-2000 to 25-6-2000 and the petitioner worked for 21 days and for the remaining 9 days no muster roll was issued and the petitioner was deprived from continuing the work for the remaining period of 9 days in June, 2000. Similarly, the muster roll was issued for the month of July 2000 w.e.f. 5-7-2000 to 25-7-2000. The petitioner worked for the entire period of 21 days and he was deprived of working of remaining 10 days. In the month of August 2000 the muster roll was issued w.e.f. 1-8-2000 to 20-8-2000 and the petitioner worked for 18 days and the muster roll was not issued for the remaining 11 days and therefore, the petitioner was deprived of working of the remaining 11 days. Similar is the position in the month of September 2000. In September 2000 also the muster roll was not issued for 21-9-2000 to 30-9-2000 and thus, the petitioner was deprived of working for 10 days. Similarly in October 2000 the petitioner was deprived of working for 11 days for non-issuance of muster roll and in November 2000 the muster roll was issued only for the period 1-11-2000 to 15-11-2000 and the petitioner worked for 14 days and the services of the petitioner were dis-engaged w.e.f. 16-11-2000 and not on account of the reason that the petitioner abandoned the job himself, but on account of the reason that the work was closed down due to the snow fall, as has been admitted by Shri Rakesh Rana, RW1, in his cross-examination.

18. Taking into consideration the position as has referred to herein above, the petitioner as per the calculations of the respondents in the last 12 preceding months i.e. December 1999 to November 2000 has worked for 210 days and if the period for which the petitioner was not allowed to work not on account of his fault, but on account of the unfair labour practice adopted by the respondents by issuing the muster rolls for 20 days in a month instead of 30 days or so or for not issuing the muster rolls in the month of January 2000 due to snow fall etc. for no fault of the petitioner, the total number of days which comes to 92 has to be accounted towards the continuous service of the petitioner as per sub-section

(1) of section 25-B of the Act, continuous service means :—

“25-B. Definition of continuous service. For the purpose of this chapter :—

- (1) a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman;”

19. The words “Cessation of work which is not due to any fault on the part of the workman” used in sub-section (1) of Section 25-B of the Act, has the clear meaning that the period of cessation of work has to be counted towards the continuous service of the workman. It has been held by the Hon’ble Bombay High Court in case titled “Kukadi Irrigation Project V. Wamar, 1994 LLR 381 (Bom)” that :—

“That the period of cessation of work not due to any fault on the part of the employee, always gets calculated as a period of continuous service.”

20. The petitioner has thus completed 302 working days during the last 12 preceding months i.e. from December 1999 to November 2000 (i.e. 210 working days and 92 days on account of non-issuance of muster rolls by the respondents for different periods in different months as has been discussed herein above).

21. The requirement of statute of 240 working days thus, cannot be disputed. No doubt that it is for the workman concerned to prove that he has in fact complete 240 days in the preceding 12 months period which is in the present case has been established beyond any reasonable doubt. Once it is proved that the petitioner during the period of 12 calendar months preceding the date with reference to which the calculation has to be made, the workman becomes entitled for the protection of section 25-F of the Act. Section 25-F of the Act lays down the conditions precedent to retrenchment of a workman, which reads as under :—

“25-F. Conditions precedent to retrenchment of workman :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month’s notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days’ average pay (for every completed year of continuous service) or part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate government by notification in the official gazette).”

22. The conditions enumerated in section 25-F (a), (b) and (c) of the Act, are precedent. The provisions of Section 25-F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void, *ab initio* or nonest (State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR. 369 (Raj)).

23. The Hon’ble Supreme Court in case titled “Auro Engg. Pvt. Ltd. V. R.A. Gadekar”, 1992 (1) ILJ

693, Mr. Justice B. V. Srikrishna, has explained the consequences of non-compliance of Section 25-F of the Act as under :—

“It is settled law that section 25F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The Section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining on the economy of the country as a whole and that of the industrial units Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25F, viz. payment of one month’s wage in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25 F, the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however, slight, vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void *ab initio*.”

24. From the evidence of the petitioner and the facts admitted by Shri Rakesh Rana, RWI, in his cross-examination and the facts as are emerging from the mandays chart Ex. RWI brought on the record by the respondents, the petitioner has been able to prove that his services were terminated by the respondents in violation of the mandatory requirements of section 25-F of the Act and therefore, the dis-engagement of the petitioner is not only unfair, unjustified, but also illegal. It has been held by the Hon’ble Supreme Court in case titled “Deep Chandra Vs. State of Uttar Pradesh and Another”, 2001 LLR 312, that in case a workman is dis-engaged in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his dis-engagement and consequently, the petitioner is entitled for all consequential service benefits including back wages. The Hon’ble Supreme Court has made the following observations in para 2 of the judgment that :—

“The High Court approached the matter rather strangely as it went at a tangent to consider not only whether the casual worker’s services can be put to an end to but if the award made by the Labour Court would make him permanent employee, so on and so forth. The High Court lost sight of the point in issue that is when an employee had put in service for more than 240 days in each year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law we fail to understand as to how the High Court could have interfered with the award made by the Labour Court. We set aside the order made by the High Court and restore the award made by the Labour Court. The appeal is allowed accordingly.”

25. The petitioner had claimed all service consequential benefits including back wages for his illegal term in violation of the mandatory provisions of section 25-F (a), (b) and (c) of the Act, by the respondents.

26. The respondents have led no evidence on the record to show that the petitioner remained in gainful employment after his dis-engagement and also failed to bring on the record any plausible reasons as to why the

petitioner is not entitled for all consequential service benefits on his re-instatement including back wages. Rather the contradictory stand has been taken by the respondents i.e. First, the petitioner left the job himself after 16-11-2000 and secondly, the work was closed due to snow fall in the area w.e.f. 16-11-2000 and therefore, the petitioner was dis-engaged from 16-11-2000.

27. It appears that the services of the petitioner were intentionally dis-engaged without the petitioner being shifted to some other available work/scheme within the sub-division or the division of the respondent during the snow season. The petitioner was thus pushed to relentless litigation for no fault on his part and therefore, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, both the issues are decided in favour of the petitioner and against the respondents.

Issue No. 3 :

28. The respondents have led no evidence on the record to show that the claim of the petitioner for his re-instatement on account of his illegal termination is barred by limitation. No period of limitation has been prescribed under the Act for raising an industrial dispute. However, in the peculiar facts and circumstances of the case, the court should look into the other aspects of the case i.e. laches or un-explained delay caused by the petitioner in raising the industrial dispute. However, in the present case the services of the petitioner were dis-engaged w.e.f. 16-11-2000 and he raised the industrial dispute with the Labour Department. The Labour department made efforts for conciliation, but when the conciliation failed, the Labour Officer, Mandi sent the reference with his report to the Labour Commissioner vide letter dated 11-3-2003. The Labour Commissioner took atleast one year to refer the dispute for adjudication to this Court vide letter dated 2-1-2004. There appears to be no delay and laches on the part of the petitioner in this case and therefore, the plea taken by the respondents that the petition is barred by limitation is un-sustainable. Otherwise also the Hon'ble Supreme Court in case titled "Sapan Kumar Pandit Vs. U. P. State Electricity

Board", 2001 11 R 900, has held as under :

"Limitation--Principle of Limitation applicable for making reference--service of workman terminated on 17-7-1975 workman challenged his termination Government made reference on 29-3-1993 under section 2.K. of the U.P. Industrial Disputes Act. Section 2.K. is almost in tune with section 10 of the Industrial Disputes Act. Management filed petition High Court quashed the reference order passed by the Government solely on the such delay, appeal--accepted. The High Court should not have quashed the reference. The words "At Any Time" as used in the section are *prima facie* indicator to a period without boundary."

29. In view of the position of law, which is fully applicable in the facts and circumstances of the present case, the stand taken by the respondents with regard to the limitation is un-sustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondents.

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30. In view of my findings on above issues, since the services of the petitioner were terminated by the respondents in violation of the mandatory requirements of section 25-F (a), (b) and (c) of the Act and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefit including seniority and back wages to the extent of 50%. The respondents are directed to re-engage the petitioner within 90 days from the date of announcement of this Award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

31. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.
21-7-2005.

Sd/-
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Dharamshala (H. P.)

भाग-2--वैधानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं द्वारा वि
H. P. STATE CONSUMER DISPUTES REDRESSAL COMMISSION SHIMLA 9

OFFICE ORDER

Shimla-9, the 12th July, 2006

No. HP CPC/1-264-2006-1007.- Hon'ble President, H. P. State Consumer Commission is pleased to accord sanction of 13 days earned leave w.e.f. 17-7-2006 to 29-7-2006 alongwith permission to prefix and suffix Sundays falling on 16-7-2006 and 30-7-2006 in favour of Shri Shamsher Singh, President, District Consumer Forum, Mandi.

Certified that Shri Shamsher Singh would have continued to hold the post of President, District Consumer Forum, Mandi but for his proceeding on earned leave for the above said period.

Sd/-
Registrar,
State Consumer Commission,
H. P. Shimla 9.

H. P. STATE JUDICIAL ACADEMY, HARVINGTON ESTATE, SHIMLA-171 001

NOTIFICATIONS

Shimla-1, the 15th June, 2006

No. SJA/Est./2006-1925.- In exercise of the powers conferred by section 5 read with section 2(h) of the

Right to Information Act, 2005 (22 of 2005), the Director, H. P. State Judicial Academy, has been pleased to designate following officers as State Public Information Officer and Assistant State Public Information Officer at State level to supply or cause to supply information in accordance with the provisions of the aforesaid Act and Rules framed thereunder subject to the provisions of the aforesaid Act and Rules framed thereunder subject to the provisions of the Right to Information Act and Rules framed by the Hon'ble High Court of Himachal Pradesh called as Right to Information Rules, 2005 :-

1. State Public Information Officer.. Deputy Director of this Academy.
2. Assistant State Public Information Officer .. Superintendent of this Academy.

Shimla-1, the 24th June, 2006

No. SJA/Est./2006-2161. Annual increment at the rate of Rs. 150/- p.m. in the pay scale of Rs. 16750-100-19150-450-20*00 is hereby granted in favour of Shri George, Director, H. P. State Judicial Academy, Harvington Estate, Shimla thereby raising the pay of the Officer from R. 20500/- to 20950/- w.e.f. 1-6-2006.

Sd/-
Director.

H. P. STATE COMMISSION FOR BACKWARD CLASSES SDA COMPLEX, KASUMPTUL, SHIMLA 171 009

OFFICE ORDER

Shimla-9, the 17th June, 2006

No. HPSCBC-194/2006 238 Whereas the Central Government has enacted the Right to Information Act, 2005 to provide for furnishing certain information to citizens who desire to have it in the spirit of democracy and the same is implemented in letter and spirit in the State of Himachal Pradesh.

And whereas, there is provision for appointing certain officers under the said Act *ibid* for the effective implementation of this Act in the public interest

And, therefore, the Hon'ble Chairman, H. P. State Commission for Backward Classes in exercise of the powers conferred on him under sub-section (i) & (ii) of the section 5 and section 19 of the Right to Information Act, 2005 is pleased to designate the following Officers required under the Act *ibid* in the following manner, with immediate effect in the public interest:-

1. The Member Secretary, H. P. State Commission for Backward Classes as Appellate Authority to carry out functions/duties as assigned to it under section 19 of the act *ibid*.
2. The Additional Secretary, Himachal Pradesh State Commission for Backward Classes as Public Information Officer as per provisions contained in Section 5 (i) of the Act *ibid*.
3. The Private Secretary, H. P. State Commission for Backward Classes as Assistant Information Officer to receive the applications for information or appeals under the Act *ibid* for forwarding the same forthwith to the Public Information Officer or Appellate Authority designated under section 19 (i) of the Act *ibid*.

By order,

Sd/-

Chairman,

H. P. State Commission for Backward Classes,
Shimla-171 009

**H. P. STATE LEGAL SERVICES AUTHORITY
SHIMLA-171 009**

CHARGE RELINQUISHING REPORT

Shimla-9, the 30th June, 2006

No. 14-ISA/M. S./P. F./2000/1894.—Consequent upon my transfer and posting vide Notification No. HHG/GAZ/14-53/74 IV-13920-13943, dated 27-6-06 of the Hon'ble High Court of Himachal Pradesh as District & Sessions Judge, Shimla, and repatriation vide Government of Himachal Pradesh Notification No. L.R.A(4)-2/92, dated 29th June, 2006 I, V. K. Ahuja, Member-Secretary, H. P. State Legal Services Authority, Shimla hereby relinquish charge of the post of Member Secretary, H. P. State Legal Services Authority, Shimla today on 30th June, 2006 afternoon.

V. K. AHUJA,

Member-Secretary,

H. P. State Legal Services Authority,
Shimla-171 009

ELECTION DEPARTMENT

NOTIFICATION

Shimla-9, the 6th July, 2006

No. 2 16 97 ELN. Consequent upon the retirement of Tehsildar (Election), Chamba on 30-6-2005

and in exercise of the powers vested under amended rules 117 and 126 of H. P. Financial Rules, 1971, Vol. I read with rule 2.16 of H. P. Budget Manual 1971 and Finance (Regulation) Department's Notification No. Fin(C) A (2)-2/99, dated 20th September, 1999, I hereby declare Nabh Tehsildar (Election) (Gazetted), Chamba as "Drawing and Disbursing Officer" in respect of following head of accounts in respect of Chamba district w.e.f 1st July, 2006 till the post of Tehsildar (Election), Chamba is filled-up:

1. 2015 Elections (Non Plan) Voted;
2. 0070 Other Administrative Services
- 02 Elections -800 Other receipt;
3. 2235 Social Security and Welfare,
4. 2071 Pension and other retirement benefits,
5. 7610 Loans to Government Servants;
6. 8005 State Provident Fund;
7. 8011 Insurance and Pension Fund; and
8. 8658 Suspense Account (Pay roll saving scheme).

I further declare that Nabh Tehsildar (Election) Chamba shall also function as "Controlling Officer" in respect of all the Staff of Election Department posted in Chamba district and also for Class I, II, III and IV employees of various departments deployed for revision of Electoral rolls, Issuance of Photo Identity Cards to Voters and conduct of Lok Sabha and Vidhan Sabha elections in Chamba district for the purpose of "TRAVELLING ALLOWANCE".

I further declare the District Election Officer (DC), Chamba as Controlling Officer for the purpose of contingencies.

PREM KUMAR,
Chief Electoral Officer,
Himachal Pradesh

TOURISM & CIVIL AVIATION DEPARTMENT

ORDER

McLeodganj, the 10th July, 2006

No. DTO/DMSL/C/16 96-625. Whereas, Hotel Neugal Bank, Palampur, Tehsil Palampur, District Kangra is registered in the name of Smt. Sureshta Sarup w/o Shri Shyam Sarup, r/o Village Sughar, P. O. Bundla Tea Estate, Tehsil Palampur, District Kangra vide this office No. DTO/DMSL/C/16 96-464, dated 18-3-1996 under Himachal Pradesh Registration of Tourist Trade Act, 1988 and rules framed there under.

Whereas Smt. Sureshta Sarup w/o Shri Shyam Sarup, r/o Village Sughar, P. O. Bundla Tea Estate, Tehsil Palampur, District Kangra, Himachal Pradesh has applied for the cancellation of its registration alongwith original registration certificate.

Now, therefore, I, Vikas Labroo, H. P. S. District Tourism Development Officer, Kangra at McLeodganj (Upper Dharamshala), Prescribed Authority under the above Act, in exercise of the powers vested in me under section 13 (a) of the Himachal Pradesh Registration of Tourist Trade Act, 1988, hereby remove the name of the above named Hotel from the register & cancel its registration with immediate effect.

VIKAS LABROO,
Prescribed Authority,
District Tourism Development Officer,
Kangra at McLeodganj (H. P.)

भाग-3—अधिनियम, विधेयक और विधेयको पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, कार्मिनेशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि

श्रम विभाग

अधिसूचनाएँ

शिमला-1, 17 जुलाई, 2006

संख्या 11-2/93 (लंब) आई० डी०/०६-बडी.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Chain Singh s/o Shri Bal Krishan c/o Shri Mangal Singh Numberdar, Village Nichli Sandoli, P. O. Haripur Sandoli, Baddi, District Solan (H. P.) Vs. The Managing Director, M/s Ashoka Spanners Pvt. Ltd. 88-89, Industrial Area Baddi, District Solan (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा 5 के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है ।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Chain Singh s/o Shri Bal Krishan workman by the Managing Director, M/s Ashoka Spanners Pvt. Limited, 88-89, Industrial Area, Baddi, District Solan (H.P.) w. e. f. 25-3-2004 without complying the provisions of the Industrial Disputes Act, 1947 as alleged by the workman is proper and justified? If not, what relief of service benefits, the above aggrieved workman is entitled to?”

शिमला-171001, 17 जुलाई, 2006

संख्या 11-2/93 (लंब) आई० डी०/०६-बडी.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Kino Mehtu s/o Shri Permishwar Mehtu, c/o Shri Suchha Singh, Village Zundi, P. O. Baddi, District Solan (H. P.) Vs. The Managing Director, Ashoka Spanners Pvt. Ltd., 88-89, Industrial Area Baddi, District Solan (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है ।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 सितम्बर 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Kino Mehtu s/o Late Shri Permishwar Mehtu workman by the Managing Director, M/s Ashoka Spanners Pvt. Limited, 88-89, Industrial Area, Baddi, District Solan (H. P.) w. e. f. 1-5-2004 without complying the provisions of the Industrial Disputes Act, 1947 as alleged by the workman is proper and justified? If not, what relief of service benefits the above aggrieved workman is entitled to?”

शिमला-1, 17 जुलाई, 2006

संख्या 11-23/84(लंब) आई० डी०/०६-मडी.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Hukum Chand s/o Shri Dagu Ram Village & P. O. Kotali, Sub-Tehsil Kotali, District Mandi (H. P.) Vs. The Member-Secretary-cum-Senior Medical Superintendent, Zonal Hospital Mandi (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा 5 के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है ।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Hukum Chand s/o Shri Daya Ram workman by the Member-Secretary-cum Senior Medical Superintendent, Zonal Hospital Mandi (H.P.) w. e. f. 5-8-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workmen is entitled to?”

Sd/-
Labour Commissioner,
Himachal Pradesh.

भाग 4—स्थानीय स्वायत्त शासन, म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाऊन एरिया तथा पंचायती राज विभाग

CHANGE OF NAME

भाग-5—वर्षावतक अधिमूचनाएं और विज्ञापन

I, Ex. Hav. Clerk Kaur Singh Mehta, No. 3983154 F, Dogra Regt./Unit 16 Dogra, resident of Village Chehri, P. O. Badhaghat, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh solemnly affirm and declare that names of my two sons in the School/Panchayat records are Avinash Mehta and Abhishek Mehta and simultaneously in the Army record they are Rahul Mehta and Rohit Mehta respectively. The date of birth of Avinash Mehta is 8th November, 1992 instead of 8th December, 1992.

Sd/
(KAUR SINGH MEHTA)
Village Chehri, P. O. Badhaghat,
Tehsil Ghumarwin, District Bilaspur,
Himachal Pradesh.

न्यायालय श्री एच0 एस0 नेगी (हि0 प्र0 से0), उप-मण्डल दण्डाधिकारी, भरमौर, जिला चम्बा (हि0 प्र0)

श्री तिलक राज सुपुत्र श्री भगत राम, निवासी पूलन, डाकघर सिरड, तहसील भरमौर, जिला चम्बा (हि0 प्र0)।

बनाम
ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री तिलक राज सुपुत्र श्री भगत राम, निवासी पूलन, डाकघर सिरड, तहसील भरमौर, जिला चम्बा ने इस न्यायालय में शपथ-पत्र सहित प्रार्थना-पत्र दिया है जिस में उसने लिखा है, कि उसकी बेटी स्तुति जिसकी जन्म तिथि 14-4-2004 है, पंचायत अभिलेख पूलन में दर्ज नहीं है। अब दर्ज करने बारा न्यायालय से अनुरोध किया है।

अतः इस इशतहार द्वारा सर्वसाधारण एवं ग्राम जनता को सूचित किया जाता है कि यदि उपरोक्त स्तुति का नाम व जन्म तिथि पंचायत अभिलेख पूलन में दर्ज करने बारे किसी का कोई उजर व एतराज हो तो वह इस इशतहार के जारी होने के एक माह के भीतर अपना उजर व एतराज असालतन या वकालतन इस न्यायालय में पेश कर सकता है अन्यथा आगामी कार्यवाही अमल में लाई जाएगी।

इशतहार आज दिनांक 15-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।
एच0 एस0 नेगी,
उप-मण्डल दण्डाधिकारी,
भरमौर, जिला चम्बा, हिमाचल प्रदेश।

न्यायालय श्री एच0 एस0 नेगी (हि0 प्र0 से0), उप-मण्डल दण्डाधिकारी, भरमौर, जिला चम्बा (हि0 प्र0)

श्री वचित्र सिंह सुपुत्र श्री लक्ष्मण, निवासी लाहल, डाकघर खणी, तहसील भरमौर, जिला चम्बा, हिमाचल प्रदेश।

बनाम
ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री वचित्र सिंह सुपुत्र श्री लक्ष्मण, निवासी लाहल, डाकघर खणी, तहसील भरमौर, जिला चम्बा ने इस न्यायालय में शपथ-पत्र सहित प्रार्थना-पत्र दिया है जिसमें उसने लिखा है कि उसके बेटे अंकित कुमार जिसकी जन्म तिथि 20-5-2003 है, पंचायत अभिलेख खणी में दर्ज नहीं है। अब दर्ज करने बारा न्यायालय से अनुरोध किया है।

अतः इस इशतहार द्वारा सर्वसाधारण एवं ग्राम जनता को सूचित किया जाता है कि यदि उपरोक्त अंकित कुमार का नाम व जन्म तिथि पंचायत अभिलेख खणी में दर्ज करने बारे किसी का कोई उजर व एतराज हो तो वह इस इशतहार के जारी होने के एक माह के भीतर अपना उजर/एतराज असालतन या वकालतन इस न्यायालय में पेश कर सकता है अन्यथा आगामी कार्यवाही अमल में लाई जाएगी।

इशतहार आज दिनांक 15-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।
एच0 एस0 नेगी,
उप-मण्डल दण्डाधिकारी,
भरमौर, जिला चम्बा (हि0 प्र0)।

न्यायालय श्री एच0 एस0 नेगी (हि0 प्र0 से0), उप-मण्डल दण्डाधिकारी, भरमौर, जिला चम्बा, हिमाचल प्रदेश

श्री अनेक कुमार सुपुत्र श्री बृहदी राम, गांव व डाकघर धरेड, तहसील भरमौर जिला चम्बा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री अनेक कुमार सुपुत्र श्री बृहदी राम, गांव व डाकघर धरेड, तहसील भरमौर, जिला चम्बा ने इस न्यायालय में शपथ-पत्र सहित प्रार्थना-पत्र दिया है जिसमें उसने लिखा है कि उसके बेटे कर्ण चौहान जिसकी जन्म तिथि 16-3-2005 है, पंचायत अभिलेख धरेड में दर्ज नहीं है। अब दर्ज करने बारा न्यायालय से अनुरोध किया है।

अतः इस इशतहार द्वारा सर्वसाधारण एवं ग्राम जनता को सूचित किया जाता है कि यदि उपरोक्त कर्ण चौहान का नाम व जन्म तिथि पंचायत अभिलेख धरेड में दर्ज करने बारे किसी का कोई उजर/एतराज हो तो वह इस इशतहार के जारी होने के एक माह के भीतर अपना उजर/एतराज असालतन या वकालतन इस न्यायालय में पेश कर सकता है अन्यथा आगामी कार्यवाही अमल में लाई जाएगी।

इशतहार आज दिनांक 13-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एच0 एस0 नेगी,
उप-मण्डल दण्डाधिकारी,
भरमौर, जिला चम्बा, हिमाचल प्रदेश।

न्यायालय उप-मण्डल दण्डाधिकारी, चुराह, जिला चम्बा, हिमाचल प्रदेश

श्रीमती चिन्तो देवी पत्नी श्री दौलत राम, निवासी ग्राम कुठेहड, परगना तीसा, तहसील चुराह, जिला चम्बा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र बराएं नाम दुस्ती बारे।

श्रीमती चिन्तो देवी पत्नी श्री दौलत राम, निवासी ग्राम कुठेहड, परगना तीसा, तहसील चुराह, जिला चम्बा, हिमाचल प्रदेश ने शिकायत प्रस्तुत की है कि मेरी लड़की का नाम इशा भारद्वाज है और ग्राम पंचायत कुठेहड बघोड़ा के परिवार रजिस्टर में सीरा कुमारी दर्ज है। जो गलत है दुस्ती करने का आदेश पारित किया जाए।

अतः ग्राम जनता को इशतहार द्वारा सूचित किया जाता है कि सीरा कुमारी सुपुत्री श्री दौलत राम का नाम ग्राम पंचायत कुठेहड बघोड़ा के परिवार रजिस्टर में गलत दर्ज है इसे ठीक कर सही नाम इशा भारद्वाज का इन्द्राज करने पर किसी को एतराज हो तो वह अपना उजर असालतन अथवा वकालतन इशतहार जारी होने पर समय अवधि के दौरान प्रस्तुत कर सकता है अन्यथा नाम की दुस्ती कर इशा भारद्वाज इन्द्राज करने का आदेश पारित कर दिया जाएगा।

इशतहार आज दिनांक 27-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी,
चुराह, जिला चम्बा, हिमाचल प्रदेश।

ब अदालत श्री देस राज कुण्डलस, सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा, हिमाचल प्रदेश

ब अदालत श्री देस राज कुण्डलस, सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा, हिमाचल प्रदेश

उनवान मुकद्दमा : दरखास्त दस्तूरी नाम ।

उनवान मुकद्दमा : दरखास्त दस्तूरी नाम ।

श्री जगो राम पुत्र श्री हुशयारा, निवासी गांव व मुहाल टिपरी,
परगना उदेयपुर, तहसील व जिला चम्बा (हि० प्र०) ।

श्री रमेलू सुपुत्र श्री सुन्को, निवासी गांव मडूल, मुहाल
सरू, परगना उदेयपुर, तहसील व जिला चम्बा (हि० प्र०) ।

बनाम

बनाम

सर्वसाधारण जनता

सर्वसाधारण जनता

प्राणी श्री जगो राम पुत्र श्री हुशयारा, निवासी गांव व
मुहाल टिपरी, परगना उदेयपुर, तहसील व जिला चम्बा ने एक
दरखास्त इस कार्यालय में गुजारी है कि उसका सही व दस्तूरी
नाम जगो राम है परन्तु कागजात माल में जगदीश दर्ज है, जिसकी
प्राणी अब दस्तूरी करवा कर जगदीश के स्थान पर जगो राम दर्ज
करवाना चाहता है ।

प्राणी श्री रमेलू सुपुत्र श्री सुन्को, निवासी गांव मडूल,
मुहाल सरू, परगना उदेयपुर, तहसील व जिला चम्बा ने एक
दरखास्त इस कार्यालय में गुजारी है कि उसका सही व
दस्तूरी नाम रमेलू है परन्तु कागजात माल में रमालो दर्ज
है, जिसकी प्राणी अब दस्तूरी करवा कर रमालो के स्थान पर
रमेलू दर्ज करवाना चाहता है ।

इसलिए इस इशतहार द्वारा आम जनता को सूचित किया
जाता है कि अगर किसी को भी प्राणी के नाम की दस्तूरी
किये जाने पर एतराज हो तो वह मिति 5-8-2006 को सुबह
10.00 बजे अधोहस्ताक्षरी के कार्यालय में हाजिर होकर अपने
लिखित एतराज पेश करे । अदम वैरवी प्राणी के नाम की
दस्तूरी के आदेश जारी कर दिए जाएंगे और उसके उपरान्त कोई
भी उजर/एतराज काबिले समापत न होंगे ।

इसलिए इस इशतहार द्वारा आम जनता को सूचित किया
जाता है कि अगर किसी को भी प्राणी के नाम की दस्तूरी किए
जाने पर एतराज हो तो वह मिति 5-8-2006 को सुबह 10.00 बजे
अधोहस्ताक्षरी के कार्यालय में हाजिर होकर अपने-अपने लिखित
एतराज पेश करे । अदम वैरवी प्राणी के नाम की दस्तूरी
के आदेश कर दिए जाएंगे और उसके उपरान्त कोई भी उजर-एतराज
काबिले समापत नहीं होंगे ।

आज दिनांक 29-6-2006 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुआ ।

मोहर ।

देस राज कुण्डलस,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा (हि० प्र०) ।

ब अदालत श्री डी० आर० कुण्डलस, सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा, हिमाचल प्रदेश

आज दिनांक 4-7-2006 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुआ ।

मोहर ।

देस राज कुण्डलस,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा (हि० प्र०) ।

उनवान मुकद्दमा :

ब अदालत श्री देस राज कुण्डलस, सहायक समाहर्ता प्रथम श्रेणी,
तहसील चम्बा, जिला चम्बा, हिमाचल प्रदेश

उनवान मुकद्दमा : दरखास्त दस्तूरी नाम ।

दरखास्त तकसीम खाता खतौनी नं० 155/196 व 159/197,
198, खमर नं० 232, 240, 260, 311, 404, 406, 523, 537,
566, 713, 724, 733, 789, 819, 824, 833, 233, 235,
312, 400, 407, 524, 525, 536, 550, 564, 712,
725, 734, 767, 818, किता 34, मुहाल राजनगर, परगना
राजनगर, तहसील व जिला चम्बा (हि० प्र०) ।

श्री सरन दास पुत्र श्री परस राम, निवासी गांव खुन्देल, मुहाल
खुन्देल, परगना लिहल, तहसील व जिला चम्बा (हि० प्र०) ।

1. पवन कुमार व सुरेश कुमार सुपुत्र श्री कर्म सिंह, निवासी
राजनगर, तहसील व जिला चम्बा (हि० प्र०) मायलान ।

बनाम

बनाम

सर्वसाधारण जनता

1. सर्वश्री वजीर सिंह, 2. इन्द्र सिंह सुपुत्र श्री मोती, निवासी
राजनगर, परगना राजनगर, तहसील चम्बा, 3. श्रीमती पानी,
4. बीना, 5. चम्पा देवी सुपुत्रियां व 6. बह्नी विधवा मोती,
7. रविश कुमार सुपुत्र रमेश, 8. देविन्द्रा देवी विधवा रमेश कुमार,
9. विवेक सिंह, 10. चमन सिंह पुत्र श्रीमती कान्तो, 11. धर्म
सिंह, 12. तेज सिंह सुपुत्र, 13. श्रीमती कमला देवी सुपुत्री,
14. श्रीमती किशनी देवी विधवा जानू, 15. कृष्ण चन्द सुपुत्र राम
सिंह, निवासी राजनगर, तहसील व जिला चम्बा (हि० प्र०)
फरीकदोयम ।

उपरोक्त उनवान मुकद्दमा में फरीकदोयम को कई बार गमन
जारी किये गये परन्तु उन पर हस्ब जाय्ना तामील नहीं हो रही
है । अब इस अदालत को यह विश्वास हो गया है कि बिना इशतहार
के फरीकदोयम पर हस्ब जाय्ना तामील करना अशुभव है ।

इसलिए इस इशतहार द्वारा उपरोक्त फरीकदोयम को सूचित
किया जाता है कि वे दिनांक 5-8-2006 को सुबह दस बजे
अदालत या वकालत अदालत में उपस्थित होकर अपने उजर
व एतराज लिखित रूप में इस अदालत में पेश करें । अदम हाजरी
एकतरफा कार्यवाही घमल में लई आवेगी और उसके उपरान्त
कोई भी उजर/एतराज काबिले समापत नहीं होंगे ।

आज दिनांक 31-5-2006 को मेरे हस्ताक्षर व मोहर अदालत
कार्यालय से जारी हुआ ।

मोहर ।

डी० आर० कुण्डलस,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील सदर, जिला चम्बा (हि० प्र०) ।

मोहर ।

देस राज कुण्डलस,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील चम्बा, जिला चम्बा (हि० प्र०) ।

ब अदालत श्री शमशेर सिंह, सहायक समाहर्ता द्वितीय श्रेणी, सियुन्ता, जिला चम्बा, हिमाचल प्रदेश

ब अदालत श्री कम सिंह चौधरी, तहसीलदार एवम् कार्यकारी दण्डाधिकारी, नादीन, जिला हमीरपुर, हिमाचल प्रदेश

ठाकुर उर्फ ठाकुर सिंह सुपुत्र श्री चूहड़, निवासी मधियाणा, डाकघर धरनोटा, उप-तहसील सियुन्ता, जिला चम्बा, हिमाचल प्रदेश।

उनवान मुकहमा : जन्म प्रमाण-पत्र।

बनाम

ग्राम जनता

विषय :—प्राथना-पत्र नाम दुहस्ती बारे।

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्राथना-पत्र मय ब्यान हल्की इस आशय से गुजारा है कि आवेदक का नाम राजस्व अभिलेख में ठाकुर दज है तथा पंचायत व स्कूल मॉटिफिकेटों में ठाकुर सिंह दज है। प्रार्थी राजस्व अभिलेख में ठाकुर उर्फ ठाकुर सिंह के रूप में दज करवाना चाहता है।

अतः इस इशतहार के माध्यम से संबंधाधारण जनता को सूचित किया जाता है कि प्रार्थी का नाम ठाकुर उर्फ ठाकुर सिंह सुपुत्र श्री चूहड़ राम किये जाने बारे कोई एतराज हो तो वह दिनांक 3-8-2006 को हमारी अदालत में हाजिर आकर अपना उजर/एतराज पेश कर सकते हैं। उजर/एतराज प्रस्तुत न करने की मूरत में उपरोक्त नाम दज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 6-7-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

शमशेर सिंह,
सहायक समाहर्ता द्वितीय श्रेणी,
सियुन्ता, जिला चम्बा, हिमाचल प्रदेश।

ब अदालत श्री शमशेर सिंह, सहायक समाहर्ता द्वितीय श्रेणी, सियुन्ता, जिला चम्बा, हिमाचल प्रदेश

किहू राम सुपुत्र श्री रामा सुपुत्र श्री बौहू, निवासी मुहाल मोतला, उप-तहसील सियुन्ता, जिला चम्बा, हिमाचल प्रदेश।

बनाम

मेहर दस्त सुपुत्र श्री थपल राम, निवासी मुहाल मोतला, उप-तहसील सियुन्ता, जिला चम्बा।

विषय :—तस्दीक इन्तकाल 1227 अताये हकूक मलकियत बाबत खसरा नं 0 151, रकबा तादादी 0-18, बीघा मोजा मोतला।

नोटिस।

उपरोक्त विषय के मन्दर्भ में मुजारा किहू राम सुपुत्र श्री रामा, निवासी मुहाल मोतला, पटवार क्षेत्र मोतला ने मुहाल मोतला में उप-रोक्त इन्तकाल अताये हकूक मलकियत दज करवाया है जिसके सम्बन्ध में भू-मालकान मेहर दस्त सुपुत्र श्री थपल को कई बार सूचना दी गई लेकिन वह न्यायालय में हाजिर नहीं हो रहा है। अतः एतद्वारा भू-मालकान मेहर दस्त सुपुत्र श्री थपल, निवासी मोतला को सूचित किया जाता है कि उसे किसी प्रकार की आपत्ति हो तो वह इस न्यायालय में इस इशतहार के जारी होने के 30 दिनों के अन्दर अमालतन या वकालतन पेश होकर अपना पक्ष प्रस्तुत कर सकता है। गैर-हाजिरी की मूरत में एक पक्षीय कार्यवाही अमन में लाई जावेगी और इन्तकाल वहक मुजारियान तस्दीक करवा दिया जावेगा।

आज दिनांक 3-7-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

शमशेर सिंह,
सहायक समाहर्ता द्वितीय श्रेणी,
सियुन्ता, जिला चम्बा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

विषय :—प्राथना-पत्र जेर धारा 13(3) जन्म एवम् मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्री राजेन्द्र कुमार सुपुत्र श्री बूज लाल, निवासी गांव व डाकघर फाहल तहसील नादीन, जिला हमीरपुर ने इस अदालत में शपथ पत्र सहित मुकहमा दायर किया है कि उसकी पुत्री शिवानी का जन्म दिनांक 31-7-2000 को हुआ है परन्तु उसका नाम व जन्म तिथि ग्राम पंचायत फाहल में पंजीकृत न है। अतः इसे पंजीकृत करने के आदेश दिये जायेंगे।

अतः इस नोटिस द्वारा ग्राम जनता को तथा सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त शिवानी की जन्म तिथि पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 7-8-2006 को अमालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मनाबिक अपत्र-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 23-6-2006 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी किया गया।

मोहर।

कम सिंह चौधरी,
तहसीलदार एवम् कार्यकारी दण्डाधिकारी, नादीन,
जिला हमीरपुर, हिमाचल प्रदेश।

ब अदालत श्री मन्दीप सूद, कार्यकारी दण्डाधिकारी, तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश

श्रीमती सरिता देवी पत्नी श्री मन्त राम, वासी मुहाल व मोजा मुन्ती, तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

विषय :—प्रकाशन इशतहार बाबत जन्म तिथि पंजीकरण जेर धारा 13(3) जन्म एवम् मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती सरिता देवी पत्नी श्री मन्त राम, निवासी मुहाल व मोजा मुन्ती, तहसील बडोह, जिला कांगड़ा ने अदालत हजा में प्राथना-पत्र मय शपथ-पत्र गुजारा है कि उसकी लड़की मीनाक्षी का जन्म 7-9-2002 को हुआ था परन्तु किसी कारणवश जन्म तिथि ग्राम पंचायत में दज न हो सकी। जिसे अब दज करवाने के आदेश दिये जावेंगे।

संबंधाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी को मीनाक्षी की जन्म तिथि दज करने बारे आपत्ति हो तो वह दिनांक 3-8-2006 को प्रातः 10 बजे अमालतन या वकालतन इस अदालत में अपना उजर पेश कर सकता है अन्यथा नियमानुसार कार्यवाही कर दी जावेगी।

आज दिनांक 23-6-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

संदीप सूद,
कार्यकारी दण्डाधिकारी, बडोह,
जिला कांगड़ा, हिमाचल प्रदेश।

ब भदालत श्री संदीप सूद, तहसीलदार एवम् सहायक समाहर्ता प्रथम श्रेणी, तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश

श्री कनकजी मुकुं श्रो तथा राम. वांसी नुहाज बागसपयाडा, मौजा दनोष्ठा, तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

विषय.—प्राथना-पत्र जेर धारा 37 भू० राजस्व अधिनियम, 1969.

श्री कमलजीत मुपुल श्री सल्ल राम, वासी मुहाल बागसपयाडा, मौजा दनोष्ठा, तहसील बडोह, जिला कांगड़ा ने इस भदालत हजा में शपथ-पत्र सहित मुकद्मा दायर किया है कि राजस्व रिकार्ड में मेरा नाम अनिल दर्ज है जबकि मेरा नाम कमलजीत है जिसे कि अनिल उपनाम कमलजीत किया जावे।

इस नोटिस द्वारा समस्त जनता व रिश्तेदारों को सूचित किया जाता है कि यदि राजस्व रिकार्ड में अनिल उपनाम कमलजीत करने बारे कोई एतराज हो तो वह दिनांक 3-8-2006 से पहले भदालत हजा में अपना एतराज पेश कर सकता है अन्यथा नियमानुसार कार्यवाही घमन में लाई जावेगी।

आज दिनांक 22-6-2006 को मेरे हस्ताक्षर व मोहर भदालत से जारी हुआ।

मोहर।

संदीप सूद,
सहायक समाहर्ता प्रथम श्रेणी,
तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश।

ब भदालत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

Ashay

बनाम

ग्राम जनता

विषय.—प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

Ashay पुत्री श्री Pema, निवासी Mcleodganj at present Palampur, जिला कांगड़ा ने इस भदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसकी अपनी जन्म तिथि 15-11-1987 है परन्तु एम० सी० धर्मशाला में जन्म पंजीकृत न है। पंजीकृत किये जाने के आदेश दिये जायें।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Ashay का जन्म पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी भदालत में दिनांक 3-8-2006 को असालतन या बकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 7-7-2006 को हमारे हस्ताक्षर व मोहर भदालत द्वारा जारी किया गया।

मोहर।

एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

ब भदालत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

Tenzin Dhonden

बनाम

ग्राम जनता

विषय.—प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

नोटिस बनाम ग्राम जनता।

Jampa Tenzin पत्नी श्री N. Gawang Thimlug, निवासी Mcleodganj, तहसील धर्मशाला, जिला कांगड़ा ने इस भदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसके पुत्र Tenzin Dhonden की जन्म तिथि 2-4-1990 है परन्तु M. C. Dharamshala में जन्म पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिये जायें।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Tenzin Dhonden का जन्म पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी भदालत में दिनांक 3-8-2006 को असालतन या बकालतन हाजिर भदालत आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 7-7-2006 को हमारे हस्ताक्षर व मोहर भदालत द्वारा जारी किया गया।

मोहर।

एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

ब भदालत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

Lama Nyima

बनाम

ग्राम जनता

विषय.—प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

Lama Nyima पुत्र श्री Migmar Dorjee, निवासी Mcleodganj, तहसील धर्मशाला, जिला कांगड़ा ने इस भदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसके पुत्र Lama Nyima की जन्म तिथि 9-9-1988 है परन्तु एम० सी० धर्मशाला में जन्म पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिये जायें।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Lama Nyima का जन्म पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी भदालत में दिनांक 3-8-2006 को असालतन या बकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 7-7-2006 को हमारे हस्ताक्षर व मोहर भदालत द्वारा जारी किया गया।

मोहर।

एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

य प्रदानत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

य प्रदानत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

श्री धर्म चन्द बनाम आम जनता

Chungdak बनाम आम जनता

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

नोटिस बनाम आम जनता ।

श्री धर्म चन्द पुत्र श्री होरी, निवासी बंधु, मौजा खनियारा, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसकी पत्नी सवित्री देवी की मृत्यु तिथि 24-4-1976 है परन्तु ग्राम पंचायत खनियारा में मृत्यु पंजीकृत न है। अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं।

Chungdak पुत्र स्व० श्री Khando Tsering, निवासी मैकलोडगंज, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसका जन्म दिनांक 12-10-1983 को हुआ है परन्तु एम० सी० धर्मशाला में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिए जाएं।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त सवित्री देवी की मृत्यु पंजीकरण किए जाने वाले कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 7-8-2006 को असातवन या बकायतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र मृत्यु तिथि पंजीकृत किए जाने वाले आदेश पारित कर दिए जाएंगे।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Chungdak का जन्म पंजीकृत किये जाने वाले कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 3-8-2006 को असातवन या बकायतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने वाले आदेश पारित कर दिए जाएंगे।

आज दिनांक 6-7-2006 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

आज दिनांक 7-7-2006 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

मोहर । एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा (हि० प्र०) ।

मोहर । एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा (हि० प्र०) ।

य अदालत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

य अदालत श्री एच० आर० भाटिया, तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

Dorjee Chodon बनाम आम जनता

Dekyi Dolma बनाम आम जनता

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

नोटिस बनाम आम जनता ।

Dorjee Chodon पुत्री स्व० श्री Gyalpo Dhondup, निवासी Mcleodganj, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसकी पुत्री का जन्म दिनांक 15-6-1966 को हुआ है परन्तु एम० सी० धर्मशाला में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिये जाएं।

श्री Lobsang Yeshi, निवासी Mcleodganj, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसकी पुत्री Dekyi Dolma की जन्म तिथि 13-12-1990 है परन्तु एम० सी० धर्मशाला में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिये जाएं।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Dorjee Chodon की जन्म तिथि पंजीकृत किये जाने वाले कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 3-8-2006 को असातवन या बकायतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने वाले आदेश पारित कर दिये जाएंगे।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Dekyi Dolma की जन्म तिथि पंजीकरण किये जाने वाले कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 3-8-2006 को असातवन या बकायतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने वाले आदेश पारित कर दिये जाएंगे।

आज दिनांक 7-7-2006 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

आज दिनांक 12-7-2006 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया ।

मोहर । एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश ।

मोहर । एच० आर० भाटिया,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश ।

अदालत श्री एस0 पी0 जगवाल, कार्यकारी वण्डीधिकारी (तहसीलदार),
नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश

ब. राधाकाश श्री कैमर राम, तहसीलदार एवं कार्यकारी वण्डीधिकारी,
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश

विषय - आवेदन पत्र नं० धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अभिनियम, 1969

ब. मकदुमा नया प्रमाण पत्र जारी ।

श्री पंवी कुमार

बनाम

आम जनता

वरन्धारा नं० धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अभिनियम,
1969.

श्री निरमल सिंह

बनाम

आम जनता ।

नोटिस बनाम

आम जनता, निवासी गांव पक्का टियाला, शकपुर कन्हावाल,
तहसील नूरपुर ।

श्री निरमल सिंह एवं श्री जगदीश सिंह, निवासी पक्का टियाला तहसील,
नूरपुर ने एक आवेदन पत्र इस अदालत में पेश किया है कि उसके
लड़के आर्गेन मनकोटिया की जन्म तिथि 11-7-2000 है लेकिन उसका
पंजीकरण पंजाब के रिकार्ड में नहीं हो पाया है उसे दर्ज करवाया
जाए ।

अतः इस नोटिस राजपवन, हिमाचल प्रदेश द्वारा आम जनता, निवासी
पक्का टियाला, तहसील नूरपुर को सूचित किया जाता है कि इस जन्म
पंजीकरण बारे किसी को कोई उजर/एतराज हो तो वह अपना उजर/
एतराज तिथि पेशी 5-8-2006 को समय 10 बजे सुबह या इससे पूर्व
अदालत या न्यायालय हाजिर अदालत आकर पेश कर सकता है ।
कोई एतराज न होने की सूचना में आदेश जारी कर दिया जायेगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर अदालत
द्वारा जारी हुआ ।

मोहर ।

एस0 पी0 जगवाल,
कार्यकारी वण्डीधिकारी,
नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश ।

ब. अदालत श्री एस0 पी0 जगवाल, कार्यकारी वण्डीधिकारी
(तहसीलदार), नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश

विषय - आवेदन पत्र नं० धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अभिनियम, 1969

निरमल सिंह

बनाम

आम जनता ।

नोटिस बनाम

आम जनता, निवासी गांव पक्का टियाला, शकपुर कन्हावाल,
तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ।

श्री निरमल सिंह एवं श्री जगदीश सिंह, निवासी पक्का टियाला,
तहसील नूरपुर ने एक आवेदन पत्र इस अदालत में पेश किया है कि
उसकी पुत्री सोनाली मनकोटिया की जन्म तिथि 23-11-2000 है
लेकिन उसका पंजीकरण पंजाब के रिकार्ड में दर्ज नहीं हो पाया
है । अब दर्ज करवाया जाए ।

अतः इस नोटिस राजपवन, हिमाचल प्रदेश द्वारा आम जनता,
निवासी पक्का टियाला, तहसील नूरपुर को सूचित किया जाता है
कि इस जन्म पंजीकरण बारे किसी को कोई उजर/एतराज हो
तो वह अपना उजर/एतराज दिनांक 5-8-2006 को समय 10.00
बजे सुबह या इससे पूर्व अदालत या न्यायालय हाजिर अदालत
आकर पेश कर सकता है । कोई एतराज प्राप्त न होने की सूचना
में आदेश जारी कर दिया जायेगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर अदालत
द्वारा जारी हुआ ।

मोहर ।

एस0 पी0 जगवाल,
कार्यकारी वण्डीधिकारी,
नूरपुर, जिला कांगड़ा (हि0 प्र0) ।

मोहर ।

कैमर राम,
तहसीलदार एवं कार्यकारी वण्डीधिकारी,
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश ।

ब. अदालत श्री कैमर राम, तहसीलदार, एवं कार्यकारी वण्डीधिकारी
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश

तारीख फैसला : 7-8-2006

श्रीमती गायत्री देवी पत्नी श्री हंस राज, निवासी बोहवा, तहसील
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश ।

बनाम

सर्वसाधारण जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अभिनियम,
1969.

श्रीमती गायत्री देवी पत्नी श्री हंस राज, निवासी बोहवा, तहसील शाहपुर,
जिला कांगड़ा, हिमाचल प्रदेश ने इस न्यायालय में प्रार्थना-पत्र दिया
है कि उसके पुत्र अभिषेक का जन्म दिनांक 15-3-2002 को हुआ है
मगर आम प्रमाण बोहवा के अभिलेख में दर्ज नहीं है ।

अतः इस अदालत द्वारा सर्वसाधारण को सूचित किया जाता है
कि यदि इस बारे में किसी व्यक्ति को कोई उजर या एतराज हो तो
वह दिनांक 7-8-2006 को सुबह 10.00 बजे अदालत या न्यायालय
हाजिर अदालत आकर प्रस्तुत कर सकता है । बाद गुजरने मियाद
कोई भी उजर या एतराज कायमले ममायत न होगा तथा एक
पक्षीय कार्यवाही अदालत में लाई जाकर प्रमाण-पत्र जारी करने के
आदेश में दिये जायेंगे ।

आज दिनांक 30-6-2006 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा किया गया ।

मोहर ।

कैमर राम,
तहसीलदार, एवं कार्यकारी वण्डीधिकारी,
शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश ।

ब अदालत श्री अरुण कुमार शर्मा (हि0 प्र0 मे0), उप-मण्डलाधिकारी (ना0), निबार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

ब अदालत श्री अरुण कुमार शर्मा (हि0 प्र0 मे0), उप-मण्डलाधिकारी (ना0), निबार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

श्री मोहन राम

बनाम

श्री अरुण कुमार

बनाम

आम जनता

आम जनता

बरखास्त जेर धारा 13(3) तन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

बरखास्त जेर धारा 13 (3) तन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

नोटिस बनाम आम जनता।

नोटिस बनाम आम जनता।

श्री मोहन राम पुत्र श्री स्वर्गीय मिह, निवासी काबा, बाकसर कपार, तहसील निबार, जिला किन्नौर ने इस न्यायालय में एक बर नाम की है कि उसकी पुत्र लोकेश्वर मिह की तन्म निधि पंजीकरण रजिस्ट्र में दर्ज नहीं करवाई जा सकी है तथा अब दर्ज करवाई जाये। इसके पुत्र की जन्म तिथि 1-10-1996 है तथा नाम लोकेश्वर मिह है।

श्री अरुण कुमार पुत्र श्री नमान मिह, निवासी मोर्गिब, बाकसर मोर्गिब, तहसील निबार, जिला किन्नौर ने इस न्यायालय में बरखास्त की है कि उसकी बहिनी मृगत की तन्म निधि पंजीकरण रजिस्ट्र में दर्ज नहीं करवाई जा सकी तथा अब दर्ज करवाई जाये। उसकी बहिनी की तन्म निधि 24-12-2001 है तथा नाम मृगत है।

आ। इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम व जन्म निधि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे स्वयं प्रत्यक्ष अमानत या नकालत इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कार्रवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम व तन्म निधि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे स्वयं प्रत्यक्ष अमानत या नकालत इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कार्रवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा।

आज दिनांक 5-7-2006 को हमारे हुस्ताक्षर व मोहर सहित अदालत में जारी हुआ।

आज दिनांक 5-7-2006 को हमारे हुस्ताक्षर व मोहर सहित अदालत में जारी हुआ।

मोहर।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना0), निबार स्थित
भावानगर, जिला किन्नौर (हि0 प्र0)।

मोहर।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना0),
निबार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश।

ब अदालत श्री अरुण कुमार शर्मा (हि0 प्र0 मे0), उप-मण्डलाधिकारी (ना0), निबार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

ब अदालत श्री अरुण कुमार शर्मा (हि0 प्र0 मे0), उप-मण्डलाधिकारी (ना0), निबार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

श्रीमती प्रेम गंगा

बनाम

आम जनता

बरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता

श्री काली राम बनाम आम जनता

बरखास्त जेर धारा 13(3) तन्म एवं मृत्यु पंजीकरण अधिनियम,

नोटिस बनाम आम जनता।

श्री काली राम पुत्र श्री भागी मुख, निवासी गराने, बाकसर गराने, तहसील निबार, जिला किन्नौर ने इस न्यायालय में बरखास्त की है कि उसकी पत्नी श्रीमती सुमित्रा देवी का नाम पंजीकरण रजिस्ट्र में दर्ज नहीं करवाया जा सका तथा अब दर्ज करवाया जाये। उसकी पत्नी का नाम सुमित्रा देवी है।

श्रीमती प्रेम गंगा पत्नी श्री प्रभू लाल, निवासी मीर, तहसील निबार, जिला किन्नौर ने इस न्यायालय में बरखास्त की है कि उसका नाम पंजीकरण अभिलेख में राम डोलमा दर्ज है जोकि गलत है तथा वास्तविक नाम प्रेम गंगा है तथा पंजीकरण अभिलेख में राम डोलमा के बजाए प्रेम गंगा दर्ज करने का अनुरोध किया है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे स्वयं प्रत्यक्ष अमानत या नकालत इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कार्रवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम दर्ज करने में किसी प्रकार की कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे अमानत या नकालत इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एक तरफा कार्रवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा।

आज दिनांक 5-7-2006 को हमारे हुस्ताक्षर व मोहर सहित अदालत में जारी हुआ।

आज दिनांक 5-7-2006 को हमारे हुस्ताक्षर व मोहर सहित अदालत में जारी हुआ।

मोहर।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना0),
निबार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश।

मोहर।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना0),
निबार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश।

ब अदालत श्री ग्रहण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

श्री इन्द्र दास

बनाम

ग्राम जनता

श्रीमती राम कुमारी

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

नोटिस बनाम आम जनता ।

श्री इन्द्र दास पुत्र श्री रामा नन्द, निवासी निगानी, डाकघर निगानी, तहसील निवार, जिला किन्नौर ने इस न्यायालय में दरखास्त की है कि उसकी पुत्री संगीता देवी का नाम पंचायत रजिस्टर में सीमा देवी दर्ज है जो कि गलत है। उसका वास्तविक नाम संगीता देवी है जो सही है ।

श्रीमती राम कुमारी पत्नी श्री राम दास, निवासी कफोर, तहसील निवार, जिला किन्नौर, हिमाचल प्रदेश ने इस न्यायालय में दरखास्त की है कि उसकी शादी किन्नोरी रीति-रिवाज के अनुसार राम दास के बड़े भाई दिवान सिंह पुत्र श्री कमला नन्द, निवासी कफोर, तहसील निवार, जिला किन्नौर के साथ मुश्तरिका तौर पर हुई है परन्तु पंचायत अभिलेख में राज पाल सिंह पुत्र दिवान सिंह दर्ज है परन्तु राम कुमारी पत्नी दिवान सिंह दर्ज नहीं है तथा अब दर्ज करवाने का आदेश दिया गया है।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त सही नाम दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10.00 बजे स्वयं ग्रथवा असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एक तरफा कारवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम दर्ज करने पर कोई एतराज हो तो वह दिनांक 5-8-2006 को प्रातः 10.00 बजे असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कारवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश ।

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किन्नौर, हिमाचल प्रदेश

श्री जमन सिंह

बनाम

ग्राम जनता

श्री मोलक राम

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

नोटिस बनाम आम जनता ।

श्री जमन सिंह पुत्र श्री धर्म मेन, निवासी निगानी, डाकघर निगानी, तहसील निवार, जिला किन्नौर ने इस न्यायालय में दरखास्त की है कि उसकी पुत्री मनीषा नेगी की जन्म तिथि पंचायत रजिस्टर में गलत दर्ज है । उसकी लड़की की जन्म तिथि 4-4-1994 है तथा नाम मनीषा नेगी है, जो सही है ।

श्री मोलक राज मपुत्र श्री रघुवीर सिंह, निवासी ग्राम काबा, डाकघर कटगांव, तहसील निवार, जिला किन्नौर ने इस न्यायालय में दरखास्त की है कि उसकी पुत्री कुमारी योगेशा की जन्म तिथि पंचायत रजिस्टर में दर्ज नहीं करवाई जा सकी है तथा अब दर्ज करवाई जावे । उसकी पुत्री की जन्म तिथि 26-12-1997 है तथा नाम योगेशा है जो सही है ।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम/जन्म तिथि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10.00 बजे स्वयं ग्रथवा असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कारवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम/जन्म तिथि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10.00 बजे स्वयं ग्रथवा असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कारवाई अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किन्नौर,
हिमाचल प्रदेश ।

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किलनौर, हिमाचल प्रदेश

ब अदालत उप-मण्डल अधिकारी (ना०), निवार स्थित भावानगर, जिला किलनौर (हि० प्र०)

श्री बहादुर चन्द

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

श्री बहादुर चन्द पुत्र श्री उमा सुब्ब, निवासी चगांव, डाकघर चगांव, तहसील निवार, जिला किलनौर ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र स्व० श्री राजेश कुमार की मृत्यु तिथि पंचायत रजिस्टर में दर्ज नहीं करवाई जा सकी है तथा अब दर्ज करवाई जावे उसके पुत्र की मृत्यु तिथि 25-2-2005 है ।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त मृत्यु तिथि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे स्वयं अथवा असालतन या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किलनौर,
हिमाचल प्रदेश ।

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उप-मण्डलाधिकारी, (ना०), निवार स्थित भावानगर, जिला किलनौर, हिमाचल प्रदेश

श्री देविन्दर

बनाम

ग्राम जनता ।

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

श्री देविन्दर पुत्र श्री धीर चन्द, निवासी पानवी, डाकघर पानवी, तहसील निवार, जिला किलनौर ने इस न्यायालय में दरखास्त की है कि उसके पुत्र देविन्दर की जन्म तिथि पंचायत रजिस्टर में दर्ज नहीं करवाई जा सकी है तथा अब दर्ज करवाई जावे । उसके पुत्र की जन्म तिथि 11-9-1999 है तथा नाम देविन्दर है ।

अब इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम/जन्म तिथि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10.00 बजे स्वयं अथवा असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किलनौर,
हिमाचल प्रदेश ।

श्री सीता राम पुत्र श्री देवा जोर, निवासी ग्राम होमने, तहसील निवार, जिला किलनौर (हि० प्र०) ।

बनाम

ग्राम जनता

विषय. दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त मुकदमा उनवान वाला में प्रार्थी श्री सीता राम पुत्र श्री देवा जोर ने इस कार्यालय में गुजारिश की है कि उसकी पुत्री का नाम पंचायत रजिस्टर में विलता की बजाए हमीरी डोलमा दर्ज है, जो कि गलत है ।

अतः ग्राम जनता को वज्रिया राजपत्र सूचित किया जाता है कि अगर किसी को उपरोक्त पंजीकरण बारा कोई उजर व एतराज हो तो वह दिनांक 5-8-06 को 10.00 बजे प्रातः अदालत में असालतन व वकालतन हाजिर होंगे तथा अपने उजर पेश करे अन्यथा उपरोक्त नाम पंजीकृत करने वाले आदेश पारित किया जाएगा ।

आज दिनांक 5-7-2006 को हमारे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

माहर ।

हस्ताक्षरित/-
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किलनौर (हि० प्र०) ।

ब अदालत श्री अरुण कुमार शर्मा (हि० प्र० से०), उपमण्डलाधिकारी (ना०), निवार स्थित भावानगर, जिला किलनौर (हि० प्र०) ।

मोलक राम

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

श्री मोलक राम पुत्र श्री रघुवीर सिंह, निवासी काबा, डाकघर कटगांव, तहसील निवार, जिला किलनौर ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री योगिता कुमारी की जन्म तिथि पंचायत रजिस्टर में दर्ज नहीं करवाई गई है, अब दर्ज की जावे । उसकी पुत्री की जन्म तिथि 15-12-2001 है तथा नाम योगिता कुमारी है, जो सही है ।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम/जन्म तिथि दर्ज करवाने में कोई आपत्ति हो तो वह दिनांक 5-8-2006 को प्रातः 10 बजे स्वयं अथवा असालतन या वकालतन इस अदालत में हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में लाई जाएगी तथा प्रमाण-पत्र जारी किया जाएगा ।

आज दिनांक 5-7-2006 को मेरे हस्ताक्षर व मोहर सहित अदालत में जारी हुआ ।

मोहर ।

अरुण कुमार शर्मा,
उप-मण्डलाधिकारी (ना०),
निवार स्थित भावानगर, जिला किलनौर (हि० प्र०) ।

ब अवालन श्री धरम कुमार शर्मा (हि० प्र० प्र०), उप-मण्डलाधिकारी (ना०), निवासी रिवाज भावालय, जिला किल्लौर (हि० प्र०)

मोह० ।

बनाम

वाम जनता

हरद्वारत जेर दफा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम वाम जनता ।

श्री मोलक राम पुत्र श्री रघुबीर सिंह, निवासी काबा, गांव कटगांव, तहसील निवाह, जिला किल्लौर ने इस पंचायत में हरद्वारत की है कि उसके पुत्र योगेश कुमार की जन्म तिथि पंचायत रजिस्ट्रार में दर्ज न करवाई जा सकी है, जब दर्ज की जावे । उसके पुत्र की जन्म तिथि 13-5-1969 है तथा नाम योगेश कुमार है जो सही है ।

यत इस नोटिस के माध्यम से सम्बन्धित जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम/जन्म तिथि दर्ज करवाने में कोई आपत्ति हो तो वह बिनांक 8-8-2006 को यात 10 बजे स्वयं अपना प्रस्तावतन या बकायतन इस प्रवालन में हाजिर होकर उजर/एतराज पेश कर सकता है अन्यथा एकतरफा कारवाई अमल में लाई जागी तथा पमाण-पत्र जारी किया जाएगा ।

आज बिनांक 5-7-2006 को हमारे हरद्वारत व मोहूर प्रवालन में जारी हुआ ।

मोह० । धरम कुमार,
उप-मण्डलाधिकारी (ना०),
निवासी रिवाज भावालय, जिला किल्लौर (हि० प्र०) ।

ब अवालन श्री प्रेम सिंह बुलटा, कार्यकारी वण्डाधिकारी, तहसील सांगला, जिला किल्लौर, हिमाचल प्रदेश

श्री हम्बर भगत पुत्र श्री हीरा लाल, निवासी गांव सांगला, तहसील सांगला, जिला किल्लौर (हि० प्र०) * * * प्राप्ति ।

बनाम

सर्वसाधारण जनता उप-मुहाल सांगला * * * प्रत्यर्थागण ।

हरद्वारत जेर दफा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस ।

श्री हम्बर भगत उपरोक्त ने इस प्रवालन में एक हरद्वारत के साथ सपच-पत्र गुजर रखा है कि उसके बेटे जन्म कुमार की जन्म तिथि 13-2-2006 है जो कि वाम पंचायत सांगला में दर्ज नहीं है, जो अब पंचायत में दर्ज करवाना चाहता है ।

यत इस इशतहार के माध्यम से सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त जन्म तिथि वाम पंचायत में दर्ज करने वाले किसी भी व्यक्ति को कोई एतराज हो तो वह अपना एतराज स्वयं या किसी प्राधिकृत एजेंट के द्वारा प्रवालन में मिति 7-8-2006 तक प्रस्तुत कर सकता है अन्यथा एकतरफा कार्रवाई अमल में लाई जाकर उपरोक्त जन्म तिथि वाम पंचायत सम्बन्धित में दर्ज करने के आदेश पारित किए जाएंगे ।

आज बिनांक 8-8-2006 को मेरे हरद्वारत व मोहूर प्रवालन में जारी हुआ ।

मोहूर ।

प्रेम सिंह बुलटा,
कार्यकारी वण्डाधिकारी,
सांगला, जिला किल्लौर (हि० प्र०) ।

ब अवालन श्री प्रेम सिंह बुलटा, कार्यकारी वण्डाधिकारी, तहसील सांगला, जिला किल्लौर, हिमाचल प्रदेश

श्री अरविन्द सिंह पुत्र श्री शालिक राम, निवासी गांव सांगला, तहसील सांगला, जिला किल्लौर (हि० प्र०) * * * प्राप्ति ।

बनाम

सर्वसाधारण जनता उप-मुहाल सांगला * * * प्रत्यर्थागण ।

हरद्वारत जेर दफा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

नोटिस ।

श्री अरविन्द सिंह उपरोक्त ने इस प्रवालन में एक हरद्वारत के साथ सपच-पत्र गुजर रखा है कि उसकी जन्म तिथि 13-8-1960 है जो कि वाम पंचायत में 1968 दर्ज है अब पंचायत में सही दर्ज करवाना चाहता है ।

यत इस इशतहार के माध्यम से सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त जन्म तिथि वाम पंचायत में दर्ज करने वाले किसी भी व्यक्ति को कोई एतराज हो तो वह अपना एतराज स्वयं या किसी प्राधिकृत एजेंट के द्वारा प्रवालन में मिति 7-8-2006 तक प्रस्तुत कर सकता है अन्यथा एकतरफा कार्रवाई अमल में लाई जाकर उपरोक्त जन्म तिथि वाम पंचायत सम्बन्धित में दर्ज करने के आदेश पारित किए जाएंगे ।

आज बिनांक 8-8-2006 को मेरे हरद्वारत व मोहूर प्रवालन में जारी हुआ ।

मोहूर ।

प्रेम सिंह बुलटा,
कार्यकारी वण्डाधिकारी,
सांगला, जिला किल्लौर (हि० प्र०) ।

ब अवालन श्री प्रेम सिंह बुलटा, कार्यकारी वण्डाधिकारी, तहसील सांगला, जिला किल्लौर, हिमाचल प्रदेश

श्री हरी सिंह पुत्र श्री भाग पूर, निवासी गांव सांगला, तहसील सांगला, जिला किल्लौर, हिमाचल प्रदेश * * * प्राप्ति ।

बनाम

सर्वसाधारण जनता उप-मुहाल सांगला * * * प्रत्यर्थागण ।

हरद्वारत जेर दफा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस ।

श्री हरी सिंह उपरोक्त ने इस प्रवालन में एक हरद्वारत के साथ सपच-पत्र गुजर रखा है कि उसकी पत्नी कुमान या श्वेता कुमान का जन्म तिथि क्रमशः 25-7-1997 व 20-11-1999 को हुआ है जोकि वाम पंचायत सांगला में दर्ज नहीं है । अब पंचायत में दर्ज करवाना चाहता है ।

यत इस इशतहार के माध्यम से सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त जन्म तिथियां वाम पंचायत में दर्ज करने वाले किसी भी व्यक्ति को कोई एतराज हो तो वह अपना एतराज स्वयं या किसी प्राधिकृत एजेंट के द्वारा प्रवालन में मिति 7-8-2006 तक प्रस्तुत कर सकता है अन्यथा एकतरफा कार्रवाई

असम में जाई जाकर उपरोक्त जन्म तिथिवाली ग्राम पंचायत सम्बन्धित में दर्ज करने के आदेश पारित किये जाएंगे।

आज दिनांक 19-2-2006 को मेरे हस्ताक्षर व मोहर प्रदानत में जारी हुआ।

मोहर।

प्रेम सिंह कुलुटा,

कार्यकारी वण्डाधिकारी,

श्रीमला, जिला किलगौर, हिमाचल प्रदेश।

व प्रदानत श्री एस0 आर0 शर्मा, कार्यकारी वण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्री भवक पुत्र श्री भीमी, निवासी गांव बालक, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश की जन्म तिथि 18-8-1948 ग्राम पंचायत गड्डा में दर्ज नहीं है। को दर्ज किया जाना है।

बनाम

ग्राम जनता

प्राथमिक-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त प्राप्ति ने इस प्रदानत में प्राथमिक-पत्र दिया है कि उस का अपना जन्म दिनांक 18-8-1948 को हुआ है जबकि ग्राम पंचायत गड्डा के अभिलेख में उसका नाम व जन्म तिथि दर्ज न है तथा अब दर्ज करने वाले अनुरोध किया है।

अतः इस इस्तहार राजपत्र द्वारा आम जनता तथा सम्बन्धित विस्तारों को सूचित किया जाता है कि यदि किसी व्यक्ति को कोई उत्तर या एनराज हो तो वह दिनांक 3-8-2006 को सात 10.00 बजे असासन/बकानतन उपस्थित होकर पत्र कर सकता है। यात्रा गुजरने सिवाय कोई भी उत्तर या एनराज प्रभावित न होगा तथा श्री भवक की जन्म तिथि पंचायत अभिलेख में दर्ज करने का आदेश पारित कर दिया जायेगा।

आज दिनांक 21-6-2006 को हमारे हस्ताक्षर व मोहर प्रदानत में जारी हुआ।

मोहर।

एस0 आर0 शर्मा,

कार्यकारी वण्डाधिकारी,

निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व प्रदानत श्री एस0 आर0 शर्मा, कार्यकारी वण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा :

श्रीमती बिमला देवी पत्नी श्री भीहाक राम, गांव बडीधार, तहसील निरमण्ड, जिला कुल्लू (हि0 प्र0)।

बनाम

ग्राम जनता

प्राथमिक-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने वाले।

श्री सतपाल पुत्र श्रीमती बिमला देवी पत्नी लिहाक राम, गांव बडीधार, फाटी गीहवा, तहसील निरमण्ड की जन्म तिथि 20-8-2000 है।

अतः इस प्रदानत इस्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदिका के बारे में जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस प्रदानत में हाजिर होकर प्रस्तुत

कर सकता है अन्यथा अधिक ग्राम पंचायत सम्बन्धित को जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर प्रदानत में जारी हुआ।

मोहर।

एस0 आर0 शर्मा,

कार्यकारी वण्डाधिकारी, निरमण्ड,

जिला कुल्लू, हिमाचल प्रदेश।

व प्रदानत श्री एस0 आर0 शर्मा, कार्यकारी वण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा :

श्रीमती राम दासी देवा श्री राम राम, गांव जोषा, फाटी कोठी, तहसील निरमण्ड।

बनाम

ग्राम जनता

प्राथमिक-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने वाले।

श्रीमती राम दासी देवा श्री राम राम, गांव जोषा, फाटी कोठी, तहसील निरमण्ड ने सजाव-पत्र दिया है कि उनकी पुत्री बिन्दी देवी का जन्म दिनांक 25-1-1990 को गांव जोषा में हुआ था जो ग्राम पंचायत कोर के अभिलेख में दर्ज किया जाना है।

अतः इस प्रदानत इस्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदिका की बेटी का नाम व जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस प्रदानत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा अधिक ग्राम पंचायत सम्बन्धित को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर प्रदानत में जारी हुआ।

मोहर।

एस0 आर0 शर्मा,

कार्यकारी वण्डाधिकारी,

निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व प्रदानत श्री एस0 आर0 शर्मा, कार्यकारी वण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा :

श्रीमती कोकल्या देवी पत्नी स्व0 श्री बालक राम, गांव बाड़ा, फाटी निघर, कोठी हिमरी।

बनाम

ग्राम जनता

प्राथमिक-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत जन्म तिथि पंचायत अभिलेख में दर्ज करने वाले।

श्रीमती कोकल्या देवी पत्नी स्व0 श्री बालक राम, गांव बाड़ा, फाटी निघर की अपनी जन्म तिथि 16-12-1964 है जो ग्राम पंचायत देहरा के अभिलेख में दर्ज की जाती है।

अतः इस प्रदानत इस्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को उक्त आवेदिका की जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में

कोई प्राप्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर। एस० आर० शर्मा
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व अदालत श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्रीमती जय देवी पुत्री श्री खोमा राम, निवासी शरठी, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश प्राथिमा।

बनाम
ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

उपरोक्त प्राथिमा ने इस अदालत में प्रार्थना-पत्र दिया है कि उसका अपना जन्म दिनांक 15-2-1957 को हुआ है लेकिन ग्राम पंचायत द्वारा के अभिलेख में उसका नाम व जन्म तिथि दर्ज न है तथा ग्राम दर्ज करने वाले अनुरोध किया है।

अतः इस इशतहार राजपत्र द्वारा आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 3-8-2006 को प्रातः 10.00 बजे अदालत/बकालतन उपस्थित आकर पेश कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज समाप्त न होगा तथा श्रीमती जय देवी की जन्म तिथि पंचायत अभिलेख में दर्ज करने का आदेश पारित कर दिया जायेगा।

आज दिनांक 21-6-2006 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर। एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व अदालत श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्री नीलम सिंह पुत्र श्री विद्या राम, निवासी दशोली, तहसील निरमण्ड, जिला कुल्लू (हि० प्र०) वादी।

बनाम

ग्राम जनता प्रतिवादी।

उपरोक्त विषय के बारे में श्री नीलम सिंह पुत्र श्री विद्या राम, निवासी दशोली, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश ने आवेदन पत्र सशपथ कथन सहित गुजारा है कि उसका मही नाम नीलम चन्द है लेकिन पंचायत रिकार्ड में मुनिम चन्द गलत दर्ज किया गया है तथा मही नाम दर्ज करने वाले अनुरोध किया है।

अतः इस नोटिस द्वारा आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उक्त नाम की दस्त्यी बारे एतराज हो तो वह दिनांक 3-8-2006 को प्रातः

10 बजे अदालत/बकालतन हाजिर आकर पेश करे अन्यथा उपरोक्त आवेदक का सही नाम नीलम सिंह दर्ज करने का आदेश पारित किया जायेगा।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर। एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
तहसील निरमण्ड, जिला कुल्लू (हि० प्र०)।

व अदालत श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्री देवी नन्द पुत्र श्री दौलत राम, निवासी किन्दला, फाटी कुशवा, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश वादी।

बनाम

ग्राम जनता प्रतिवादी।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत जन्म तिथि दर्ज करने हेतु।

श्री देवी नन्द पुत्र श्री दौलत राम, निवासी किन्दला ने आवेदन किया है कि उसकी सही जन्म तिथि 8-1-1947 है परन्तु पंचायत रिकार्ड ग्राम पंचायत कुशवा में 1939 दर्ज है, जो गलत है।

अतः इस अदालती इशतहार द्वारा संवसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक की जन्म तिथि ग्राम पंचायत कुशवा के अभिलेख में दस्त्य करने वाले उजर व एतराज हो तो दिनांक 3-8-2006 को अपना उजर व एतराज इस अदालत में पेश कर सकता है। उसके बाद कोई सुनवाई नहीं की जाएगी तथा ग्राम पंचायत कुशवा के लिए उक्त आवेदक की जन्म तिथि को दस्त्य करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि० प्र०)।

व अदालत श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा:

श्री मूगे राम पुत्र श्री सानू राम, गांव कुटड़ा, फाटी धाड़, तहसील निरमण्ड।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री मूगे राम पुत्र श्री सानू राम, गांव कुटड़ा की धर्मपत्नी श्रीमती शारदा देवी का नाम व जन्म तिथि 20-8-1977 ग्राम पंचायत गमोग के कार्यालय में दर्ज किया जाता है।

अतः इस अदालती इशतहार राजपत्र द्वारा संवसाधारण को सूचित किया जाता है कि यदि किसी को आवेदक की पत्नी का नाम व जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत

सम्बन्धित को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 आर0 शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि0 प्र0)।

ब अदालत श्री एस0 आर0 शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

ब मुकद्दमा :

जमना देवी पुत्री श्री जागर दास, निवासी फाटी निरमण्ड।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

जमना देवी पुत्री जागर दास, निवासी व फाटी निरमण्ड की जन्म तिथि 15-7-1983 है जो ग्राम पंचायत निरमण्ड के कार्यालय के अभिलेख में दर्ज की जानी है।

अतः इस अदालती इशतहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदिका की बेटो का नाम व जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 आर0 शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

ब अदालत श्री एस0 आर0 शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

ब मुकद्दमा :

श्री माध राम पुत्र स्व0 श्री जागर दास, निवासी व फाटी निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री माध राम पुत्र स्व0 श्री जागर दास का जन्म स्थान निरमण्ड में 16-2-1980 को हुआ है। प्रार्थी का नाम ग्राम पंचायत निरमण्ड में दर्ज नहीं है, अब दर्ज किया जाना है।

अतः इस अदालती इशतहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक का नाम व जन्म तिथि ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता

है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 आर0 शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि0 प्र0)।

ब अदालत श्री एस0 आर0 शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

ब मुकद्दमा :

श्री दलीप कुमार पुत्र श्री गोपाल चन्द, निवासी चम्बू, फाटी निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री दलीप चन्द पुत्र श्री गोपाल चन्द, निवासी चम्बू, फाटी व तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश की जन्म तिथि 10-8-1977 है जिसे ग्राम पंचायत वाहवा के अभिलेख में दर्ज किया जाना है।

अतः इस अदालती इशतहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक का नाम व जन्म तिथि ग्राम पंचायत वाहवा के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव, ग्राम पंचायत सम्बन्धित को उक्त नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 आर0 शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

ब अदालत श्री एस0 आर0 शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

ब मुकद्दमा :

कोयला देवी पुत्री श्री सार चन्द, निवासी नेड कुन्दर, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम दस्तवी व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

कोयला देवी पुत्री श्री सार चन्द की जन्म तिथि 1-6-1975 है तथा पिता का सही नाम सार चन्द है। ग्राम पंचायत सरणा में पिता का नाम बीर सिंह व जन्म तिथि 1973 गलत दर्ज है, को दुरुस्त किया जाना है।

धन: इस प्रदायनी इन्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदनक का नाम व उसकी जन्म तिथि पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2000 तक या इससे पूर्व इस प्रदायन में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को उक्त नाम व जन्म तिथि उसकी पंचायत के अभिलेख में दर्ज करने का आदेश पारित कर दिये जायेंगे।

आज दिनांक 21-6-2000 को मेरे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

मोहर।

एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व प्रदायन श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा:

श्री रवीन्द्र बन्ध पुत्र श्री मोती राम, निवासी मुनैर, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम की दस्तवी धारे में दर्ज करने बारे।

श्री रवीन्द्र बन्ध का सही नाम रवीन्द्र बन्ध है परन्तु ग्राम पंचायत निवासी में रजिस्टर गलत दर्ज है, ग्राम पंचायत निवासी के अभिलेख में रजिस्टर के स्थान पर रवीन्द्र बन्ध ही दर्ज किया जाता है।

धन: इस प्रदायनी इन्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदनक का नाम ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2000 तक या इससे पूर्व इस प्रदायन में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को उक्त नाम उसकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 21-6-2000 को मेरे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

मोहर।

एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व प्रदायन श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा:

श्री जोगिन्द्र पुत्र श्री सीतू, निवासी मंद, फाटी देवबा, कोठी कोट, तहसील निरमण्ड, जिला कुल्लू (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम की दस्तवी धारे।

श्री जोगिन्द्र पुत्र श्री सीतू का नाम ग्राम पंचायत कोट में ग्राम लाल बनत दर्ज है। वास्तव में जोगिन्द्र ही प्रार्थी का सही नाम है।

धन: इस प्रदायनी इन्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदनक का नाम दर्ज करने में कोई आपत्ति हो तो वह आपत्तिनामा दिनांक 3-8-2000 तक या इससे पूर्व इस प्रदायन में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को उक्त नाम की दस्तवी धारे उसकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 21-6-2000 को मेरे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

मोहर।

एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू (हि० प्र०)।

व प्रदायन श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा:

श्री राजेन्द्र कुमार पुत्र स्व० श्री राम दास, निवासी फाटी निरमण्ड।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम दस्तवी धारे।

श्री राजेन्द्र कुमार पुत्र स्व० श्री राम दास, निवासी फाटी निरमण्ड में राजेन्द्र नाम दिया है कि उक्त नाम ग्राम पंचायत निरमण्ड में राजेन्द्र कुमार दर्ज है, जो गलत है। सही नाम राजेन्द्र कुमार है।

धन: इस प्रदायनी इन्तहार राजपत्र द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदनक का नाम ग्राम पंचायत सम्बन्धित के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2000 तक या इससे पूर्व इस प्रदायन में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव ग्राम पंचायत सम्बन्धित को उक्त नाम उसकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 21-6-2000 को मेरे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

मोहर।

एस० आर० शर्मा,
कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश।

व प्रदायन श्री एस० आर० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश

व मुकद्दमा:

श्री दिला राम पुत्र श्री टोटी राम, निवासी कटेड, फाटी पोमना, तहसील निरमण्ड, जिला कुल्लू।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम की दस्तवी धारे।

श्री दिला राम पुत्र श्री टोटी राम, निवासी कटेड, फाटी पोमना, तहसील निरमण्ड की जन्म तिथि 65 वर्ष नहीं बल्कि 20-6-1940 है।

धारा 13 अन्वयेन इन्हें राजपत्र द्वारा सर्वसाधारण की सूचना किया जाता है कि यदि किसी को भी उक्त आवेदक का नाम व अन्य विधि धारा पंचायत सम्बन्धित के अधिनियम में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या इससे पूर्व इस प्रशासन में हाज़िर होकर प्रस्तुत कर सकता है अन्यथा सचिव धारा पंचायत सम्बन्धित की नाम व अन्य विधि धारा पंचायत के अधिनियम में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-8-2006 को मेरे हस्ताक्षर व मोहर प्रशासन में जारी हुआ।

मोहर। एस० प्र०० शर्मा,
कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश।

व प्रशासन श्री एस० प्र०० शर्मा, कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

व मुकदमा :

श्री सोहन लाल पुत्र श्री जोग राम, निवासी खनोटा, काटी
निरमण्ड, जिला कुल्लू (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 बाबत नाम की दस्तखत बाटे।

श्री सोहन लाल पुत्र श्री जोग राम, ग्राम खनोटा का नाम जन
पंचायत भागरी में जीवन लाल गुजर दर्ज है मही नाम साहन
लाल की दस्तखती की जाती है।

धनः इस प्रदावली इन्हें राजपत्र द्वारा सर्वसाधारण जनता
की सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक
का नाम धारा पंचायत सम्बन्धित के अधिनियम में दर्ज करने में कोई
आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या
इससे पूर्व इस प्रशासन में हाज़िर होकर प्रस्तुत कर सकता
है अन्यथा सचिव धारा पंचायत सम्बन्धित का उक्त नाम उक्त
पंचायत के अधिनियम में दर्ज करने के आदेश पारित कर दिए
जाएंगे।

आज दिनांक 21-8-2006 को मेरे हस्ताक्षर व मोहर प्रशासन में
जारी हुआ।

मोहर। एस० प्र०० शर्मा,
कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश।

व प्रशासन श्री एस० प्र०० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू (हि० प्र०)

व मुकदमा :

श्री देव कुमार पुत्र श्री कमल देव शर्मा, निवासी गुन जामन,
काटी निरमण्ड।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 बाबत नाम दस्तखत बाटे।

श्री देव कुमार की धर्मपत्नी का नाम वीरिका शर्मा सैनिक
युनिट में दर्ज किया है जो गलत है तथा सही नाम सुरेशा देवी
सैनिक युनिट व धारा पंचायत रिकार्ड में दर्ज किया जाना है।

धनः इस प्रदावली इन्हें राजपत्र द्वारा सर्वसाधारण की सूचित
किया जाता है कि यदि किसी को भी उक्त आवेदक की धर्मपत्नी
का नाम धारा पंचायत सम्बन्धित के अधिनियम में दर्ज करने में कोई
आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 3-8-2006 तक या
इससे पूर्व इस प्रशासन में हाज़िर होकर प्रस्तुत कर सकता
है अन्यथा सचिव धारा पंचायत सम्बन्धित का नाम उक्त पंचायत
के अधिनियम में दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-8-2006 को मेरे हस्ताक्षर व मोहर प्रशासन
में जारी हुआ।

मोहर। एस० प्र०० शर्मा,
कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश।

व प्रशासन श्री एस० प्र०० शर्मा, कार्यकारी दण्डाधिकारी, निरमण्ड,
जिला कुल्लू (हि० प्र०)

व मुकदमा :

श्री सुनील दत्त पुत्र श्री हनु राम, निवासी बगलवाला,
तहसील निरमण्ड, जिला कुल्लू (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 बाबत नाम व अन्य विधि पंचायत अधिनियम
में दर्ज करने बाटे।

श्री सुनील दत्त पुत्र श्री हनु राम की धर्म पत्नी श्रीमती
सुरेशा देवी की जन्म तिथि 1-1-1960 है जो धारा पंचायत
नियम के अधिनियम में दर्ज नहीं है अब दर्ज की जानी है।

धनः इस प्रदावली इन्हें राजपत्र द्वारा सर्वसाधारण जनता
की सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक
की पत्नी का नाम व अन्य विधि धारा पंचायत सम्बन्धित के अधिनियम
में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा
दिनांक 3-8-2006 तक या इससे पूर्व हाज़िर होकर प्रस्तुत कर
सकता है अन्यथा सचिव धारा पंचायत सम्बन्धित का नाम व अन्य
विधि उनकी पंचायत के अधिनियम में दर्ज करने के आदेश पारित
कर दिए जाएंगे।

आज दिनांक 21-8-2006 को मेरे हस्ताक्षर व मोहर प्रशासन में
जारी हुआ।

मोहर। एस० प्र०० शर्मा,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

व प्रशासन श्री एस० प्र०० शर्मा, कार्यकारी दण्डाधिकारी, तहसील
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्री फू राम मुल्लू श्री कुम्भ दाम, निवासी बडोलात्र, डाकखाना
उर्द, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश बादी।

बनाम

ग्राम जनता

प्रतिवादीगण।

श्री फू राम मुल्लू श्री कुम्भ दाम, निवासी बडोलात्र, डाकखाना
उर्द, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश ने आवेदन
पत्र में सहाय कथन सहित गुजारा है कि उनकी धातु 56 वर्ष
पंचायत रिकार्ड में गलत दर्ज है जबकि उसकी सही जन्म तिथि
4-5-1943 है।

धनः इस इन्हें राजपत्र द्वारा ग्राम जनता तथा सम्बन्धित रिश्तेदारों
को सूचित किया जाता है कि यदि किसी को उक्त श्री फू राम
की जन्म तिथि की दस्तखत बाटे एनराज हो तो वह दिनांक

3-8-2006 को प्रातः 10.00 बजे हाजिर आकर पेश करे। गैर हाजरी की मूरत में ग्राम पंचायत राहू को श्री फत्तू राम की जन्म तिथि की दस्तवी बारे आदेश पारित कर दिए जाएंगे।

आज दिनांक 21-6-2006 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

एस0 आर0 शर्मा,
कार्यकारी दण्डाधिकारी, निरमण्ड,
तहसील निरमण्ड, जिला कुल्लू (हि0प्र0)।

व अदालत श्री विनय सिंह (एच0 ए0 एस0), उप-मण्डल
मैजिस्ट्रेट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू (हि0प्र0)।

बनाम

ग्राम जनता।

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर धारा
13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय
में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसका पोता
Dawa Gyltsen जो दिनांक 4-3-1995 को पैदा हुआ है,
उसकी जन्म तिथि ग्राम पंचायत हलाण-II के रिकार्ड में दर्ज
न की गई है। जिसे अब दर्ज करवाने के आदेश दिए जावें।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है
कि यदि किसी व्यक्ति को Dawa Gyltsen की जन्म तिथि
दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 6-8-2006 को या
इससे पूर्व अदालत हजा में अपनी आपत्ति दर्ज करवा सकता है।
इसके उपरान्त कोई भी उजर/एतराज समायत न होगा तथा
नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर
दिये जाएंगे।

आज दिनांक 7-7-2006 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा जारी हुआ।

मोहर।

विनय सिंह,
उप-मण्डल मैजिस्ट्रेट मनाली,
जिला कुल्लू, हिमाचल प्रदेश।

व अदालत श्री विनय सिंह (एच0 ए0 एस0), उप-मण्डल
मैजिस्ट्रेट, मनाली, जिला कुल्लू (हि0प्र0)

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू (हि0प्र0)।

बनाम

ग्राम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर धारा
13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में
आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसका पोता Tenzin
Passang जो दिनांक 3-4-1990 को पैदा हुआ है, उसकी
जन्म तिथि ग्राम पंचायत हलाण-II के रिकार्ड में दर्ज न की गई
है। जिसे अब दर्ज करवाने के आदेश दिए जावें।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता
है कि यदि किसी व्यक्ति को Tenzin Passang की जन्म
तिथि दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 6-8-2006
को या इससे पूर्व अदालत हजा में अपनी आपत्ति दर्ज करवा
सकता है। इसके उपरान्त कोई भी उजर/एतराज समायत न होगा
तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर
दिये जायेंगे।

आज दिनांक 7-7-2006 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा जारी हुआ।

मोहर।

विनय सिंह,
उप-मण्डल मैजिस्ट्रेट, मनाली,
जिला कुल्लू, हिमाचल प्रदेश।

व अदालत श्री विनय सिंह (एच0 ए0 एस0), उप-मण्डल मैजिस्ट्रेट,
मनाली, जिला कुल्लू, हिमाचल प्रदेश

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू (हि0प्र0)।

बनाम

ग्राम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर धारा
13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती दावा पत्नी स्व0 श्री छिम्बा, निवासी पतलीकुहल,
तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय
में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसकी पोती
Miss Migmar Bhuti जो दिनांक 3-7-1991 को पैदा हुई
है, उसकी जन्म तिथि ग्राम पंचायत हलाण-II के रिकार्ड में
दर्ज न की गई है। जिसे अब दर्ज करवाने के आदेश दिए जावें।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है
कि यदि किसी व्यक्ति को Miss Migmar Bhuti की जन्म तिथि
दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 6-8-2006 को या
इससे पूर्व अदालत हजा में अपनी आपत्ति दर्ज करवा सकता है।
इसके उपरान्त कोई भी उजर/एतराज समायत न होगा तथा नियमानुसार
जन्म तिथि दर्ज करवाने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 7-7-2006 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा जारी हुआ।

मोहर।

विनय सिंह,
उप-मण्डल मैजिस्ट्रेट, मनाली,
जिला कुल्लू (हि0प्र0)।

व अदालत श्री एन0एल0 वधन, (हि0प्र0से0), उप-मण्डल दण्डाधिकारी,
करसोग, जिला मण्डी, हिमाचल प्रदेश

व मुकदमा:

श्री सरदार सिंह पुत्र स्व0 श्री मस्त राम, निवासी बोह, डाकघर भनेरा,
तहसील करसोग, जिला मण्डी, हिमाचल प्रदेश

बनाम

ग्राम जनता

प्रत्यार्थी।

पंचायत अभिलेख—परिवार रजिस्टर से नाम कटवाने बारे
प्रार्थना-पत्र।

इस अदालत में प्रार्थी श्री सरदार सिंह ने अपनी पत्नी शारदा देवी
का नाम अपने परिवार रजिस्टर से कटवाने के आदेश प्रदान करने हेतु
यह दख्खास्त गुजारी है कि उसका पत्नी से तलाकनामा हो चुका है

जो नौटंरी पब्लिक करमांग द्वारा स्थापित है। फोटो प्रति तलाक-नामा दरखास्त के साथ सलगन है।

अनः इस नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि शारदा देवी का नाम परिवार रजिस्टर से कटवाने बारे किसी व्यक्ति अथवा रिश्तेदार को कोई एतराज हो तो वह इस अदालत में दिनांक 5-8-2006 को प्रातः 10 बजे असातन या वकालतन उपस्थित होकर प्रस्तुत कर साने हैं। इसके उपरान्त कोई भी उजर या एतराज काबिले समायन न होगा तथा अन्तिम निर्णय पारित कर दिया जाएगा।

आज दिनांक 14-7-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर। एन 0 एल 0 बंधन,
उप-मण्डल दण्डाधिकारी,
करमांग, जिला मण्डी, हिमाचल प्रदेश।

व अदालत सहायक समाहर्ता प्रथम श्रेणी, सरकाघाट, जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा शीर्षक :

श्री बीरी सिंह पुत्र श्री हच्छू, निवासी हवाणी, डाकघर थोना, तहसील सरकाघाट, जिला मण्डी, हिमाचल प्रदेश ... फरीकअव्वल।

बनाम

ग्राम जनता, हिमाचल प्रदेश ... फरीकदोयम।

प्रार्थना-पत्र नाम दस्तुती।

श्री बीरी सिंह पुत्र श्री हच्छू, निवासी हवाणी ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उसका सही नाम बीरी सिंह है परन्तु राजस्व रिकार्ड मुहाल हवाणी में गलती से बीरी जन्द दर्ज हुआ है।

अतः ग्राम जनता को इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम दस्तुती बारे कोई एतराज हो तो वह असातन या वकालतन दिनांक 4-8-2006 को प्रातः 10 बजे इस न्यायालय में पेश करे। उपस्थित न होने की मूरत में कार्यवाही एकपक्षीय अमल में लाई जाएगी।

आज दिनांक 22-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी, हिमाचल प्रदेश।

व अदालत सहायक समाहर्ता प्रथम श्रेणी, सरकाघाट, जिला मण्डी (हि 0 प्र 0)

मुकद्दमा शीर्षक :

श्री हितेश कुमार पुत्र श्री पवन कुमार उर्फ रमेश, निवासी पांड नं 0 4-कलस, सरकाघाट, जिला मण्डी (हि 0 प्र 0) ... फरीकअव्वल।

बनाम

ग्राम जनता, हिमाचल प्रदेश ... फरीकदोयम।

प्रार्थना-पत्र नाम दस्तुती, मुहाल सरकाघाट।

श्री हितेश कुमार पुत्र श्री पवन कुमार उर्फ रमेश ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उसका पिता का नाम पंचायत स्तर पर रमेश कौशल लिखा गया है जो गलत है।

अतः उसने निवेदन किया है कि मेरे पिता का नाम श्री पवन कुमार उर्फ रमेश कुमार दर्ज किया जाए।

ग्राम जनता को इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम दस्तुती बारे कोई एतराज हो तो वह असातन या वकालतन दिनांक 5-8-2006 को प्रातः 10.00 बजे इस न्यायालय में पेश करे। उपस्थित न होने की मूरत में कार्यवाही एक पक्षीय अमल में लाई जाएगी।

आज दिनांक 19-6-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि 0 प्र 0)।

न्यायालय श्री सुरेन्द्र कुमार कोण्डल, सहायक समाहर्ता प्रथम श्रेणी एवं सीमि सुधार अधिकारी, सरकाघाट, जिला मण्डी (हि 0 प्र 0)

व मुकद्दमा :

श्री रूपा पुत्र श्री रखा, निवासी बुहकू, इलाका मुरांगा, तहसील सरकाघाट, जिला मण्डी (हि 0 प्र 0) ... प्राणी।

बनाम

1. ग्राम जनता 2. श्री हमा पुत्र श्री रखा, श्रीमती दुडी, सोमा, कला पुत्री रखा, अमर नाथ पुत्र व श्रीमती सोमा पुत्री दुर्गा, निवासी बुहकू, इलाका मुरांगा, तहसील सरकाघाट, जिला मण्डी (हि 0 प्र 0) ... तरतीबी फरीकदोयम।

विषय, — प्रार्थना-पत्र बराये दस्तुती राजस्व अभिलेख।

मुकद्दमा उपरोक्त में प्राणी श्री रूपा पुत्र श्री रखा ने इस न्यायालय में प्रार्थना-पत्र सेहत गिरदावरी प्रस्तुत किया है परन्तु फरीकदोयम/तरतीबी फरीकदोयम को साधारण रूप से समन का नामी नही हो पा रही है। इस अदालत को भी विश्वास हो चुका है कि फरीकन उपरोक्त को समन नामील साधारण रूप से होना कठिन है।

अतः फरीकन उपरोक्त को बजरिया इशतहार अदालती सूचित किया जाता है कि वे असातन या वकालतन दिनांक 7-8-2006 को प्रातः 10.00 बजे इस न्यायालय में उपस्थित होकर पंचवी मुकद्दमा करें अन्यथा एक पक्षीय कार्यवाही अमल में लाई जाएगी।

आज दिनांक 17-6-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। सुरेन्द्र कुमार कोण्डल,
सहायक समाहर्ता प्रथम श्रेणी,
सरकाघाट, जिला मण्डी (हि 0 प्र 0)।

व अदालत श्री सुरेन्द्र कुमार शर्मा, तहसीलदार एवम् कार्यकारी दण्डाधिकारी, तहसील चड़गांव, जिला शिमला (हि 0 प्र 0)

श्रीमती बरजनी देवी बनाम ग्राम जनता

दरखास्त जेरे धारा 13 (3) जन्म एव मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती बरजनी देवी पत्नी श्री सुन्दर लाल, निवासी गांव गावसारी, तहसील चड़गांव, जिला शिमला (हि 0 प्र 0) ने दरखास्त गुजारी है कि उसकी सुपुत्री कु 0 पिकी की जन्म तिथि 17-1-1997 है परन्तु अज्ञानतावश वह उसकी जन्म तिथि कार्यालय ग्राम पंचायत गावसारी के जन्म एवम् मृत्यु रजिस्टर में दर्ज न करवा सकी।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस बारे यदि किसी व्यक्ति/रिश्तेदार को कोई उजर या एतराज

हो तो वह अपना एतराज दिनांक 7-8-2006 को प्रातः दस बजे इस अदालत में हाजर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर उपरोक्त नाम ग्राम पंचायत रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे।

प्राज दिनांक 6-7-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

सुरेश कुमार शर्मा,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
चड़गांव, जिला शिमला (हि० प्र०)।

**PROCLAMATION UNDER ORDER 5, RULE 20,
C. P. C.**

**In the Court of Civil Judge (Junior Division), Court No. 2
Shimla, Himachal Pradesh**

Civil Suit No. 169-I of 95/94.

Bank of India a body corporate constituted under the banking companies (Acquisition and Transfer of undertaking) Act V of 1970, having its head office at Express Tower, Nariman Point, Bombay-400 021 and a Branch office amongst other places at 45, The Mall, Shimla
.. Plaintiff.

Versus

Smt. Arti Arora w/o Shri Avtar Singh, r/o (1) Laxmi R.m Building near Dhalli Police Station, Dhalli, Shimla, (2) Arti Provision Store, Airport Road, Totu, Shimla (H. P.), (3) c/o P. D. Pardesi, Pardesi Niwas, Narkanda, District Shimla
.. Defendants.

SUIT FOR RECOVERY

Whereas in the above noted case, it has been proved to the satisfaction of the Court that above named defendants is/are evading service of summons and cannot be served in the ordinary way. Hence, this proclamation is hereby issued against them to appear in this court on 3-8-2006 at 10.00 A.M. to defend the case personally or through an authorised agent or pleader failing which *ex parte* proceedings will be taken against them

Given under my hand and the seal of the court this 19th day of July, 2006.

Seal.

Sd/
Civil Judge (Junior Division),
Court No. (II), Shimla, Himachal Pradesh.

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, रोहड़ू, जिला शिमला,
हिमाचल प्रदेश

श्री विनोद कुमार पुत्र स्व० श्री कृष्ण चन्द, निवासी करछारी,
तहसील रोहड़ू, जिला शिमला (हि० प्र०) प्राप्ति।

बनाम

ग्राम जनता

करीबदोस।

प्रार्थना-यत्र दस्तावेज नाम कागजान माल धर्म खाता खतौनी नं० 99/225, 226, 70/144-45, 138/385, 138/386 मुहान बन्कना, तहसील रोहड़ू, जिला शिमला (हि० प्र०)।

श्री विनोद कुमार पुत्र स्व० श्री कृष्ण चन्द, निवासी करछारी, तहसील रोहड़ू ने इस अदालत में प्रार्थना-यत्र गुजारा है कि उसका नाम उपरोक्त भूमि के खाना मलकीयत में "ललित कुमार" पुत्र कृष्ण चन्द लिखा है जोकि गलत है। प्राप्ति का वास्तविक नाम विनोद कुमार पुत्र कृष्ण चन्द है। प्राप्ति ने अदालत में प्रार्थना की है कि उपरोक्त भूमि के खाना माल में उसका नाम "ललित कुमार" के स्थान पर "विनोद कुमार" लिखा जावे।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को प्राप्ति का नाम उपरोक्त भूमि के खाना मलकीयत में "ललित कुमार" के स्थान पर "विनोद कुमार" दर्ज करवाने में कोई आपत्ति या एतराज हो तो वह इस इशतहार के प्रकाशन के पश्चात् 30 दिन के भीतर इस न्यायालय में प्रसालतन या वकालतन उपस्थित होकर अपनी आपत्ति या एतराज प्रस्तुत कर सकता है। दीगर सूरत में नियमानुसार कार्यवाही अमल में लाई जायेगी।

प्राज दिनांक 3-7-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
रोहड़ू, जिला शिमला (हि० प्र०)।

ब अदालत सहायक समाहर्ता द्वितीय वर्ग, रामगहर, उप-तहसील
रामगहर, जिला सोलन, हिमाचल प्रदेश

ब मुकद्दमा :

इन्तकाल नम्बर 428, ग्राम मनलोकला, मकफूद-उल-खबरी
बरास्त वसन्तु पुत्र श्री साधु, ग्राम मनलोकला।

उन्वान मुकद्दमा :

श्री हेत राम

बनाम

ग्राम जनता

नोटिस बनाम ग्राम जनता।

इस इशतहार के माध्यम से सर्वसाधारण एवं ग्राम जनता को सूचित किया जाता है कि वसन्तु पुत्र श्री साधु लापता होने के कारण मकफूद-उल-खबरी इन्तकाल नम्बर 428, बरास्त बरूये वसीयत वसन्तु बहक हेत राम मजूर की जानी है।

यदि इस मकफूद-उल-खबरी इन्तकाल को मजूर होने द्वारा किसी को कोई आपत्ति एवं कोई एतराज हो तो वह अदालतन/वकालतन अदालत हुआ में हाजिर आकर दिनांक 7-8-2006 को पेश कर सकता है। यदि वसन्तु खुद जीवित हो तो वह भी अदालत हुआ में आकर अपने उजर/एतराज उपरोक्त तिथि को कर सकता है। उपरोक्त तारीख के बाद कोई भी उजर/एतराज माथ्य न होगा और वसन्तु की बरास्त का इन्तकाल बरूये वसीयत वारसान के हक में कर दिया जायेगा।

अज दिनांक 6-7-2006 को हस्ताक्षर मेरे व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता द्वितीय वर्ग,
रामगहर, जिला सोलन (हि० प्र०)।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना,
तहसील व जिला ऊना (हि० प्र०)

ब मुकद्दमा : जन्म प्रमाण-पत्र।

श्री भगवन्त किशोर

बनाम

ग्राम जनता

दरख्वास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

नोटिस बनाम ग्राम जनता।

श्री भगवन्त किशोर पुत्र श्री प्रेम नाथ, निवासी गांव सलोखमड़, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री ईशा का नाम पंचायत रजिस्टर में गवनी में दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसकी पुत्री का नाम कुमारी ईशा है, जन्म तिथि

16-4-2003 है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक 8-8-2006 को प्रातः दस बजे स्वयं अथवा असाक्षर या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिये जायेंगे।

आज दिनांक 10-7-2006 को हस्ताक्षर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, जिला ऊना, हिमाचल प्रदेश।

व अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
जिला ऊना, हिमाचल प्रदेश

व मुकद्दमा : जन्म प्रमाण-पत्र।

श्री छज्जु बतनाम ग्राम जनता
दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री छज्जु पुत्र श्री सुभाष चन्द, निवासी पुलवाला बाजार, ऊना, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र पवन कुमार का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसके पुत्र का नाम पवन कुमार है, जन्म तिथि 8-10-2003 है तथा बच्चे का जन्म स्थान पुलवाला बाजार ऊना है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक 8-8-2006 को प्रातः दस बजे स्वयं अथवा असाक्षर या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिये जायेंगे।

आज दिनांक 10-7-2006 को हस्ताक्षर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, जिला ऊना (हि0 प्र0)।

व अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी
ऊना, जिला ऊना (हि0 प्र0)

व मुकद्दमा : जन्म प्रमाण-पत्र।

श्री कुलदीप कुमार बतनाम आम जनता
दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

भाग 6—भारतीय राजपत्र द्वारा में से पुनः प्रकाशन

भारत सरकार
स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

निर्माण भवन, नई दिल्ली
दिनांक : 30 मई, 2006

अधिसूचना

का. घा..... केन्द्रीय सरकार दंत चिकित्सक अधिनियम,
1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा

नोटिस बनाम आम जनता।

श्री कुलदीप कुमार पुत्र श्री जलसी राम, निवासी गांव झोडोवाल (बडेहर), तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री प्रियंका देवी का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसकी पुत्री का नाम प्रियंका देवी है, जन्म तिथि 25-2-2002 है तथा बच्ची का जन्म स्थान झोडोवाल (बडेहर) है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्ची का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक 8-8-2006 को प्रातः दस बजे स्वयं अथवा असाक्षर या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिये जायेंगे।

आज दिनांक 10-7-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, जिला ऊना, हिमाचल प्रदेश।

व अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
जिला ऊना (हि0 प्र0)

व मुकद्दमा : मृत्यु प्रमाण-पत्र।

श्री अश्वनी कुमार बतनाम ग्राम जनता
दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री अश्वनी कुमार पुत्र श्री किशन चन्द, निवासी पुलवाला बाजार ऊना, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके चाचा श्री प्यारे लाल की मृत्यु का पंजीकरण नगर पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसके चाचा श्री प्यारे लाल पुत्र श्री प्रभू दयाल, निवासी पुलवाला बाजार ऊना की मृत्यु दिनांक 27-1-2000 को ऊना में हुई थी।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त मृत्यु पंजीकरण होने में कोई आपत्ति हो तो वह दिनांक 8-8-2006 को प्रातः दस बजे स्वयं अथवा असाक्षर या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिए जायेंगे।

आज दिनांक 10-7-2006 को हस्ताक्षर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, जिला ऊना, हिमाचल प्रदेश।

प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके उक्त अधिनियम की अनुसूची के भाग-1 में एतद्द्वारा निम्नलिखित सशोधन करती है अर्थात् :

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में राजीव गांधी यूनिवर्सिटी आफ हेल्थ साइंसेज, बंगलूर से सम्बन्धित क्रम सं. 49 के सामने स्तंभ 2 एवं 3 को

मोजुदा प्रविष्टियों में बी०एस० डेंटल कालेज एंड हॉस्पिटल, बंगलूर के सम्बन्ध में निम्नलिखित प्रविष्टियां घटतः स्थापित की जाएंगी:—

XXII बी एस डेंटल कालेज एंड हॉस्पिटल, बंगलूर

मास्टर भाक डेंटल सजरो

(IV) कजरबेटिब डेन्टिस्ट्री एम डी एस (कजरबेटिब डेन्टिस्ट्री) राजीव गांधी यूनिवर्सिटी भाक हेल्थ साइंसज, बंगलूर
(यदि 03-5-2005 को प्रयथा उसके बाद प्रदान की गई हो)

फा. सं. बी. 12017/32/97-पी एम एस/डी ई

हस्ताक्षरित/-
(आस्था एस० खटवानी)
निदेशक (एम ई)

GOVERNMENT OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
(DEPARTMENT OF HEALTH)

Nirman Bhawan, New Delhi
Dated the 30 May, 2006

NOTIFICATION

S. O. In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 49, in part-I of the schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Rajiv Gandhi University of Health Sciences (RGUOHS), Bangalore, the following entries in respect of V. S. Dental College & Hospital, Bangalore shall be inserted thereunder:—

XXII V. S. Dental College & Hospital, Bangalore

Master of Dental Surgery

(iv) Conservative Dentistry (When granted on or after 03-5-2005) MDS (Conservative Dentistry) Rajiv Gandhi University of Health Sciences, Bangalore

No V-12017/32 97 PMS/DE

Sd/-
(AASTHA S KHATWANI)
Director (ME)

भारत सरकार
स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

निर्माण भवन, नई दिल्ली
दिनांक : 30 मई, 2006

प्रधिसूचना

का. घा. केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद में परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करना है अर्थात्

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में राजीव गांधी यूनिवर्सिटी भाक हेल्थ साइंसज, बंगलूर में संबंधित प्र. सं. 49 के सामने स्तंभ 2 एवं 3 की

मोजुदा प्रविष्टियों में कालेज भाक डेंटल साइंसज, दावनांगरी के सम्बन्ध में निम्नलिखित प्रविष्टियां घटतः स्थापित की जाएंगी:—

1. कालेज भाक डेंटल साइंसज, दावनांगरी

मास्टर भाक डेंटल सजरो

“(vii) कम्युनिटी डेन्टिस्ट्री एम डी एस (कम्युनिटी डेन्टिस्ट्री) राजीव गांधी यूनिवर्सिटी भाक हेल्थ साइंसज बंगलूर”
(यदि 4-10-2005 को प्रयथा उसके बाद प्रदान की गई हो)

फा. सं. बी. 12017/34/2001-पी एम एस/डी ई

हस्ताक्षरित/-
(आस्था एस० खटवानी)
निदेशक (एम ई)

GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH

Nirman Bhawan, New Delhi
Dated the 30 May, 2006.

NOTIFICATION

S. O. In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 49, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Rajiv Gandhi University of Health Sciences (RGUOHS), Bangalore, the following entries in respect of College of Dental Sciences, Davangere, shall be inserted thereunder:

1. College of Dental Sciences, Davangere

Master of Dental Surgery

“(vii)-Community Dentistry MDS (Community Dentistry) Rajiv Gandhi University of Health Sciences, Bangalore”
(When granted on or after 4-10-2005)

No. V-12017/34/2001-PMS/DE

Sd/-
(AASTHA S KHATWANI)
Director (ME)

भारत सरकार

स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

निर्माण भवन, नई दिल्ली
दिनांक : 30 मई, 2006

प्रधिसूचना

का. घा. केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद में परामर्श करके उक्त अधिनियम की अनुसूची के भाग-I में एतद्वारा निम्नलिखित संशोधन करना है; अर्थात्

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में डॉ. एम्. जी. आर. मेडिकल यूनिवर्सिटी, नांदेड, चेन्नई से सम्बन्धित प्र. सं. 34 के सामने स्तंभ 2 एवं

3 की मौजूदा प्रविष्टियों में रागाज डेंटल कॉलेज चेन्नई के सम्बन्ध में निम्नलिखित प्रविष्टियाँ अंतः स्थापित की जाएंगी :

IV. रागाज डेंटल कॉलेज चेन्नई

“पीरियोडॉन्टिक्स एम बी एस (पीरियोडॉन्टिक्स) (यदि 7-02-2005 को द टी. एन. डी. एम. जी. ग्रार. मेडिकल यूनिवर्सिटी, चेन्नई” की गई हो)

क्र. सं. बी 12017/26/2001-पी एस एस

हस्ताक्षरित/-
(आस्था एस 0 खटवानी)
निदेशक (एम ई)

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
DEPARTMENT OF HEALTH
NOTIFICATION**

*Nirman Bhawan, New Delhi
Dated the 30 May, 2006*

S. O. In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948

(16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 34 in part-I of the Schedule to the Dentists Act 1949 (16 of 1948) pertaining to Dr. M. G. R. Medical University, Tamil Nadu, Chennai, the following entries in respect of Ragas Dental College, Chennai shall be inserted thereunder:—

IV. Ragas Dental College, Chennai

“Periodontics MDS (Periodontics) the
(When granted on or T. N. Dr. M. G. R. Medi-
after 7-2-2005) cal Univ., Chennai.”

No. V-12017/26/2001-PSM

Sd/-
(AASTHA S. KHATWANI)
Director (ME)

भाग 7--भारतीय निर्वाचन आयोग (Election Commissioner of India) की वैधानिक प्रविष्टिपूर्ण तथा अन्तर्गत निर्वाचन सम्बन्धी प्रविष्टिपूर्ण

-अन्त-

अनुपूरक

-अन्त-

भाग 1

HIMACHAL PRADESH PUBLIC SERVICE COMMISSION

PRESS NOTE

On the basis of H. P. Judicial Service Examination, 2005-II held on 25th, 26th and 27th March, 2006 and the interviews conducted w. e. f. 5th to July, 2006, the following candidates in order of merit have been selected for the post of Civil Judge (Junior Division) in the Department of Home, Government of Himachal Pradesh :—

Sl. No.	Roll No.	Name of the Candidate
1.	3240	Sh. Ramnik Sharma
2.	3567	Sh. Dhiru Thakur
3.	3049	Sh. Vivek Sharma
4.	3879	Sh. Mandeep Mittal
5.	3764	Sh. Sidharth Sarpal
6.	3959	Sh. Subhash Chand

The result is also available on our WEBSITE www.himachal.nic.in/hppsc/

J. P. SINGH,
Secretary.

